

## DISCUSSION BOOKS

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### THE RESPONSIBLE CITIZEN

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No. 6

# THE RESPONSIBLE CITIZEN

*by*  
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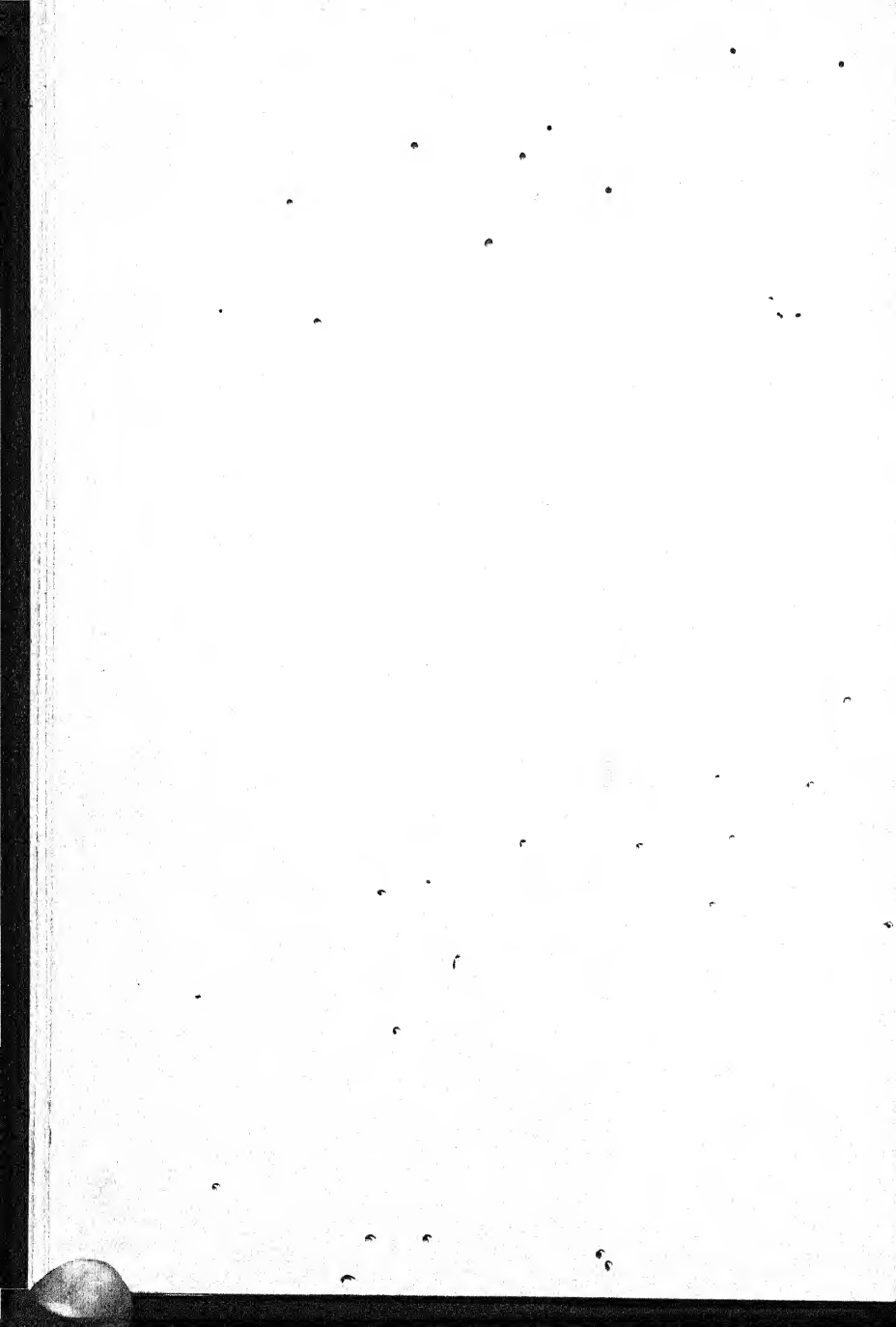
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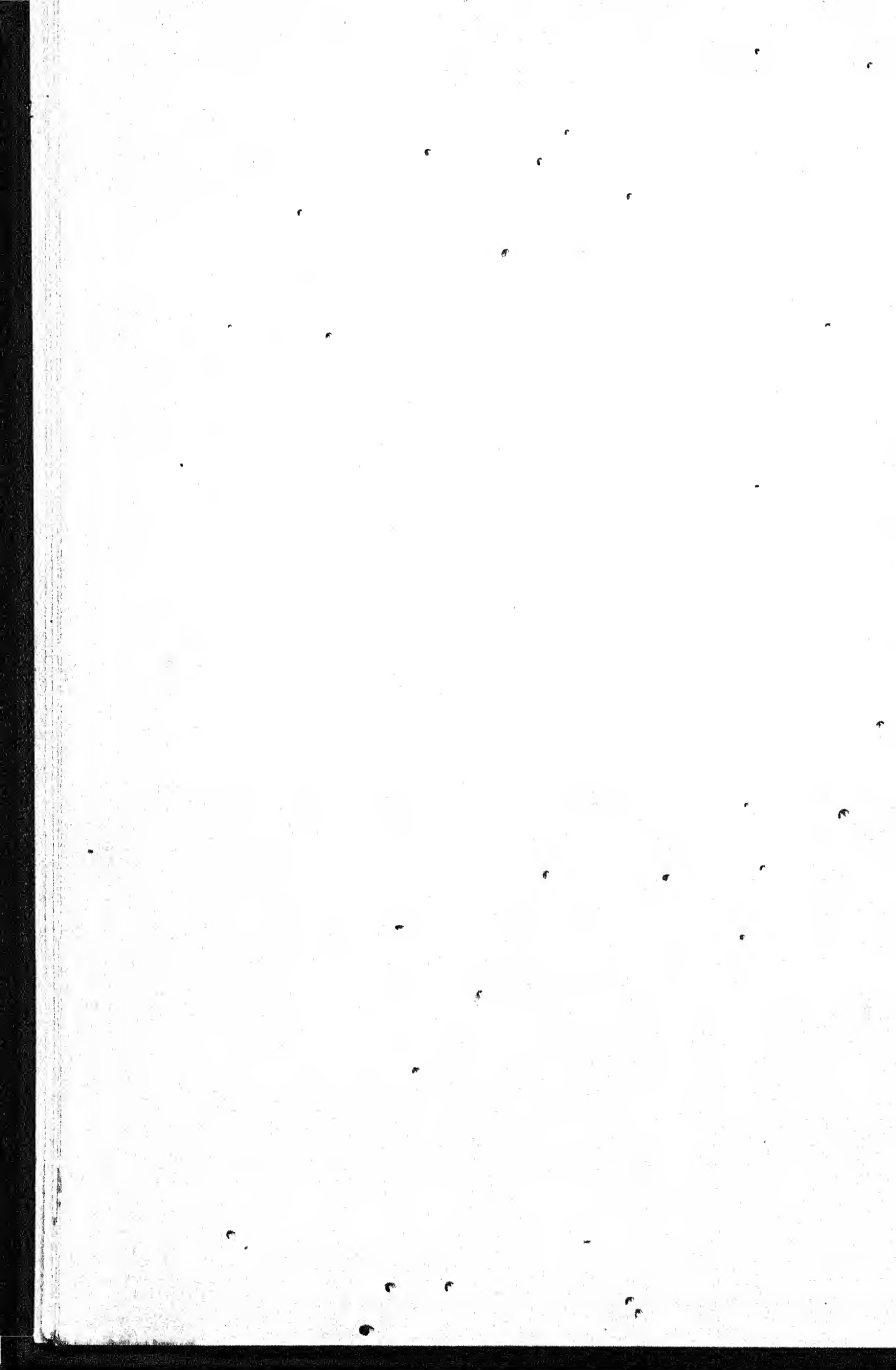
## PREFACE

THIS small book is intended to be no more than an introduction to a subject which might be entitled "Civic Responsibility." It is hoped that it will serve as a basis for discussion, and will prove an incentive to further reading. The presence of a chapter on Foreign Policy may need explanation. It was felt that at the present day this was such a vital topic for a democracy that its inclusion was justified.

I am indebted to Mr. J. F. Elam, M.A., Senior History Master at Taunton School, for much helpful criticism and advice.

S. H. C.

THE UNIVERSITY,  
BRISTOL.



# THE RESPONSIBLE CITIZEN.

## CHAPTER I

### DEMOCRACY

INSCRIBED on one of the panels of the Soldiers' Monument in the National Cemetery on the battlefield of Gettysburg is part of an address delivered on November 19, 1863, by Abraham Lincoln, when as President of the United States he dedicated a portion of that battlefield to be set apart for the burial of those who fell there in defence of the Union. In that inscription occur the words: "that we here highly resolve . . . that government of the people, by the people, for the people shall not perish from the earth." This expression of sentiment and resolve is known and quoted by many, who are unaware either of the identity of the speaker or of the circumstances, the middle period of a bitter civil war, and it serves for a short and easy description of that most elusive of all political theories,—however it may be expressed in organization—"democracy." Since the outbreak of civil war in Spain, in July 1936, our British parliamentarians and public men and women of all political parties have denied that it is a conflict of democracy and dictatorship, or a clash of opposing "ideologies." But it is to be

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feared that the British people of to-day are so used to high-sounding words and phrases from public speakers, journalists, and lecturers on the B.B.C., that they do not pause to consider either their exact meaning or, what is more important, their practical implications. Accustomed to "democracy" as they are accustomed to the postman's leaving the letters, or the morning delivery of milk, or any of the hundred and one things which go smoothly enough to make up the pattern of ordinary living, they give it as little thought. Bereft of a service or a commodity, because of an industrial dispute, those not immediately concerned sit up and take notice for a time. But soon the trouble is over, the inconvenience is removed, and there is a return to the "normal."

This is not a useful attitude to adopt towards our present system of government and political organization. It is left to the student to puzzle out the niceties of the relationship between the "political sovereign" and the "legal sovereign." Dicey's *Law of the Constitution* is not palatable food for the greater part of our electorate of over thirty-one millions. And yet, and a world of meaning is in that small word, in the last resort each one of that large number of voters is important. But responsibility is a burden which many of us do not carry well, a duty we do not face courageously. To suggest to any elector that he is responsible for the administration in, say, India<sup>1</sup> might make him admit that the responsibility is more than he cares to accept, and that perhaps after all it would be better to have a dictatorship and so ease his mind. It is, however, likely that he would reply that he left that sort of thing to Parliament; he might even express his attitude by saying that he helps

<sup>1</sup> Cf. The Government of India Act, 1937.

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to elect lawmakers : he does not make laws. Faced with all the matters for which in theory he should be made accountable, the average voter might well recoil in alarm, and ask despairingly, "What can I do?"

Let us consider these millions of "I's" in relation to democracy. There are more than 31 million electors, that is men and women above the age of twenty-one. Here is a multitude of people, each of whom is essentially an individual, but perforce living in a social group, tiny rural parish, or large county borough, compulsory members of a "nation," which must have relations with other "nations." The majority, the figure is uncertain, because it is not always easy to define rural and urban, probably about five-sixths, live in towns varying in size, the remainder in villages and hamlets varying in nature. Children of their own inheritance, worked on by numerous environmental forces—the family, the school, the conditions of economic occupation, the contact with other members of their own immediate social group, rich and poor, well or ill—they are deemed to attain political wisdom at the age of twenty-one. Many of them become politically conscious at a more youthful age, but they cannot become politically effective until then. There is a danger that, born into a ready-made world, and so much moulded by it, they do not question either its purpose or the validity of its organization when the time comes. These millions are at once the reason and the purpose of government, and here in Great Britain they form the mathematical basis of democracy. Leaving on one side for the moment the question whether this leads to a democracy based merely on numbers or on wisdom, we must consider what this much-used term means in modern days. As a word expressing

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certain political ideas, "democracy" has had a chequered career through the ages, but to-day in this country it suggests certain positive things.

The foundation is universal suffrage, though it was considered that we were a democracy in the days prior to the enfranchisement of women, and even before the various Suffrage Acts of last century. "One man, one vote" (though some get two), suggests an equality of citizenship, in duties involved and benefits received. Political ideas, that is, those accepted and translated into action by the governments of the day, have changed from generation to generation. From the paternalistic outlook of the old Toryism at the beginning of last century, through individualism and collectivism, we emerge into what is fondly, and perhaps rather glibly, called the Social Service State; a system of guidance and control, and of interference in every department of life, but maintaining private property in things economic, and therefore to be contrasted with the Socialist State. For some this interference, with all its attendant horrors of bureaucracy, is to be resisted at all costs. It is a travesty of democracy. For others this state organization is not enough. The idea of "equality" is attacked as being false, and democracy, as we know it is regarded as a sham. For if Jack be as good as his master in politics, he most certainly is not in matters economic, and we are led to consider the criticism that our democracy is merely the political counterpart of an economic capitalism which, it is argued, is inherently a system of servitude, denying at once and for all time the possibility of equality. To call the system "capitalist democracy" is, it is suggested, to indulge in a contradiction in terms.

On this foundation of universal suffrage are erected,

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or grow and are amended as the changing needs of the time demand, certain institutions designed to give expression to the people's will. In this country, of ancient origin and almost unbroken continuity, they are King, Lords, and Commons. Now of these three, only the last can make any claim or pretension to be democratic in the sense that it is representative. If it be true that the House of Commons can do anything "except turn a man into a woman, or a woman into a man," this would not matter much, for here would be the sovereign body directly responsible to and responsive of the sovereign people. But it is not so easy as that. It would be idle to deny that the power of the House of Lords, in spite of the Parliament Act of 1911, might be put to what many would consider grave and undemocratic use. Moreover, it would be both unwise and wrong to ignore the part which emotion plays in political life, and this especially in relation to the throne. Although among the thoughtful, "loyalty is no longer regarded as a virtue like piety,"<sup>1</sup> it is at least doubtful if this apply to the vast mass of the people. Moreover, it is not part of their normal education to be taught the interrelation between the throne as a political institution and the person who for the time being occupies it. These points of emotional appeal and confusion of thought were well brought out in the Jubilee celebrations of May 1935, the Abdication crisis of December 1936, and the Coronation festivities of May 1937. These are not Victorian days, and the defence of democracy from any possible usurpation of power, or an answer to a challenge of "Bread and Circuses," would be found in the convention that "the King takes the advice of his ministers."

<sup>1</sup> Cf. Sir Sidney Low, *The Governance of England* (new ed., 1919), p. 278.



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It is clearly not desirable that we should preen ourselves on our representative and responsible government, as the expression of this creed of equality and freedom, and ignore those elements which, though they may be expedient for the times, and may, according to some, work well, are none the less erected on a foundation of privilege.. In this context "responsible government" means what is commonly known as a parliamentary executive, where the Ministers of the Crown are all members of one or other of the Houses, the majority, largely by custom and usage, being in the Commons.<sup>1</sup> In brief, and in theory, this means the responsiveness of the Cabinet to the House of Commons, so that no government can hold office unless at the same time it have the confidence of the Lower House: and that in theory the Commons control the Cabinet, whereas in practice the situation may easily be reversed and the organization of the party system, the use of the Whips and the resort to votes of confidence, may lead to what is called "Cabinet Dictatorship."

It is of course debatable whether "responsible government" in this sense be a necessary condition of democratic institutions. It is not the case in the Federal Government of U.S.A., where the President's ministers are not members of either House of Congress. Nevertheless the American people would strenuously assert that their political organization is a democracy.

But institutions related to universal suffrage are not

<sup>1</sup> But cf. Ministers of the Crown Act, 1937, which provided that out of twenty-one principal members of His Majesty's Government not more than three need be in the Lords. This number does not include either the Prime Minister or the Lord Chancellor (Part II., Sect. 9 (1), (a) and (b)). A rearrangement of posts on May 16, 1938, resulted in a Cabinet of twenty-two members, of whom six were in the Lords.

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enough. There is universal suffrage in present-day Germany, but no one supposes that that country lives and works under other than a dictatorship. Freedom of thought, expression, and action<sup>1</sup> are lacking, and perhaps this is the fundamental issue to-day. Man can build or develop a House of Commons or of Representatives, a Reichstag or a Chamber of Deputies ; he can organize it, amend and improve it, to use it to express the people's will. But if there be no freedom for the people to meet and to state their wishes, the institution becomes a mockery, however well planned.

Within certain limits the British people remain " free " in this sense. In general, so long as they do not tread on their neighbours' toes, commit nuisances, trespass, or obstruct the police in the execution of their duty, they are free enough to come and go. (It is, of course, a " freedom " to make a fortune or to be unemployed.) Further than this, they may talk and write as they wish, but within the restrictions of the various laws of libel ; they may not be slanderous or defamatory, seditious or blasphemous. To describe the situation more precisely than this is not easy, since in the last resort it is left to a judge and jury to decide what is and what is not, for example, sedition. This freedom has been the boast of Britain for generations (but not of Ireland, when it was part of the United Kingdom), and it is to-day a target for all those who, impatient of a slow and unwieldy machine and restive because of its apparent lack of achievement, would govern without reference. It must not be supposed that the elector can say what he likes, where he likes, and when he likes. Actually, of course, he

<sup>1</sup> In the summer of 1937 some German citizens were sentenced to imprisonment for listening-in to Moscow.

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*can*, but he may be held liable to penalties, if in the opinion of the authorities he confuses, however unwittingly, liberty with licence. Does it mean that we are free if it come to a test to say and write what will be approved by a jury drawn from the middle classes? On occasion, an ancient Act of Parliament may be invoked to imprison a man who is only contemplating addressing a meeting.<sup>1</sup> Faced with any sort of abuse of this freedom of speech and of meeting, it is the duty of every citizen to help to maintain the King's peace. But if circumstances are such that this duty is beyond the powers of the ordinary man or woman, or if "natural" passions run so high as to make it an impossibility, it is clearly the duty of Parliament to take action to safeguard this freedom. Such was the situation in 1936, especially in the East End of London, where the adherents of opposing creeds were in constant clash, where "natural" passions did indeed run high, where disagreement was excited and provocation great. For a long time, although this disagreement constituted a continued threat to what is regarded as a fundamental bulwark of the constitution, and more practically, additional demands were made on the Metropolitan police, the Government of the day considered that the existing law provided all the necessary safeguards. But the position became serious and ugly, and as a result there came into force as from January 1, 1937, the Public Order Act, 1936, which bans the wearing of uniforms for a political purpose,<sup>2</sup> the carrying of offensive weapons and the organization of quasi-military forces. Power is also given, with the final

<sup>1</sup> e.g. the case of Mr. Tom Mann in December 1932: the imprisonment was quite legal.

<sup>2</sup> But expressly exempts stewards' badges, and therefore implies the recognition of stewards at political meetings.

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consent of the Home Secretary, for the police to make representations, their apprehensions being "reasonable," for the banning of all or specified processions in any given area. The Commons were so convinced of the necessity for amending the law that they gave the Bill a unanimous Second Reading on November 16, 1936.

It is clearly the duty of a government to govern, and to do this, it may in certain circumstances confer upon itself extra powers, which strike at the very roots of this "freedom," though it is unlikely that any British Government would suspend the Habeas Corpus Acts, and even were this done, the result would not be the same as the continental "suspension of the constitutional guarantees."<sup>1</sup> But the Emergency Powers Act of 1920, lying dormant but potential on the Statute Book, is an illustration of such extra powers for the issuing of regulations for protecting the public safety and for preserving the peace. A government will therefore take steps to ensure that the King's peace shall not be broken, if necessary at the cost of curtailment, temporary or permanent, of the liberty of the individual. But it none the less remains true, that within the limits suggested there is a measure of "freedom" in contradistinction to conditions as they exist in some continental countries. The "Rule of Law," which ensures that each and every individual bears the responsibility for his own behaviour, means not only that there is an equality as between individuals in the eyes of the law, that they cannot plead official capacity, or orders of superiors, but also that there should be no appeal to force, for the assertion of one's rights, saving always the very hazy and ill-defined right of "self-defence."

<sup>1</sup> Having no "constitution," we presumably have no "guarantees."  
(4,664)

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This liberty of the person is of paramount importance in our own conception of democracy. "Politics," as Mr. Balfour once said, "is an organized quarrel,"<sup>1</sup> where, divided on party lines one set of people tolerates another, in the sense that they permit them to live and to advance their views. But can there be tolerance of opposing views which one considers to be wrong? For if all right-minded people support the Government, then all those in favour of the Opposition must be wrong-minded. We do not, of course, push this too far, else we might inquire into the politics of the butcher, the baker, and the candlestick-maker, and only buy from those who, in our view, were politically correct.<sup>2</sup> A Conservative employer might make it unpleasant, or by intimidation impossible, for one of his operatives to serve as a Socialist town councillor.

And yet, if we are not to be indicted on a charge of insincerity, how can we be tolerant of things which we firmly believe to be wrong? This is a question which should be examined by every one of the electorate. If there be any real meaning in democracy, then we do, as the sovereign people, tolerate the slums, and poverty, and re-armament, and neglect of the sick. Helplessly—"What can *I* do?" is a confession of failure." It is not easy to see how to be either logical or consistent in this matter of politics, unless one is prepared to deny the liberty of the person, and so to weaken this conception of democracy. But to speak of "this conception of democracy" is to talk in ideal terms. It remains true

<sup>1</sup> This was said in 1902. Some years later, Sir H. Campbell-Bannerman made the retort to Balfour that "politics was a task for men and not a sport for gentlemen."

<sup>2</sup> Is this the relation between Labour supporters and the co-operative societies?

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that the political history of this country, however much we dislike reading it, contains many records of the denial of liberty, and of the expression of intolerance on the part of those in power. There are examples of this within the memory of those living and up to the present day. Before the war it was Socialists and Suffragettes, during the war conscientious objectors, since the war any Communist who happens to fall foul of the police.<sup>1</sup> How difficult and even unsatisfactory the position may become was revealed in the debate on the dockyards dismissals on January 26, 1937, when Mr. Greenwood moved: "That this House, jealous of the rights and liberties of the subject, regrets the action of the Government in dismissing summarily five workmen from their employment in the Royal Dockyard without informing them of what offence they were accused, or affording them any opportunity of making any defence. . . ." The explanation of the First Lord of the Admiralty was based on a list of "disturbing incidents" of the nature of sabotage. Without any punishment other than dismissal the men were dispensed with. And it was left to Mr. Maxton to point out that for acts imperilling men's lives no punishment was too severe, and that "dismissal from the dockyards seems to be a descent from the sublime to the ridiculous." There was left an uneasy suspicion that the men had been dismissed because

<sup>1</sup> Cf. the answer of the Home Secretary to a question asked in the House of Commons on November 11, 1937, for information as to the number of cases of assaults on or violent resistance to the police committed respectively by Communists and sympathizers during Fascist processions, and by Fascists during Communist processions. "I am informed by the Commissioner of Police that during the period from January 1, 1936, to October 31, 1937, the number of cases of the kind referred to in the Metropolitan police district were respectively 104 and 2. I regret that I have no information as regards the remainder of the country."—*The Times*, November 12, 1937.

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of their political, probably Communist, opinions. Mr. W. Gallacher asserted that members of the army and navy "could not be won by trying to drown them."

Equally, of course, the Fascist Party can argue that the Public Order Act is a denial of freedom, in that it prevents a legitimate political organization from putting its views before the electorate, whose support it hopes to enlist, in a manner which it thinks may appeal. There was the accusation that the Government had "capitulated to the Reds." Clearly tolerance in practice is a difficult matter. Individuals and parties are apt to demand for themselves liberties they would deny to others. Perhaps Mr. P. G. Wodehouse, in one of his inimitable Jeeves stories,<sup>1</sup> expresses it as well as can be :

Old Rowbotham looked at me and then he looked round the room, and I could see he wasn't particularly braced.

"Mr. Wooster?" said old Rowbotham. "May I say Comrade Wooster?"

"I beg your pardon?"

"Are you of the movement?"

"Well—er . . ."

"Do you yearn for the Revolution?"

"Well, I don't know that I exactly yearn. I mean to say, as far as I can make out, the whole-nub of the scheme seems to be to massacre coves like me; and I don't mind owning I'm not frightfully keen on the idea."

In this country it is felt ideally that politics in all its aspects should be the handmaiden of ordinary life and

<sup>1</sup> *Comrade Bingo.*

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endeavour. It may be, it probably is, quite logical to "supplant" your opponents, to beat them, imprison them, exile and kill them. But the British people do not go to these lengths. None the less the argument exists that society is dominated by a governing class, no less effectively because this control is often very skilfully disguised.

This is well brought out when one reflects on political "opinion," not for the moment how it is formed, but what it is. The accepted measure of a man's political wisdom is too often also the measure of his agreement with political doctrines, so that a fresh adherent to any cause is a convert, but one who transfers his allegiance to another party is a renegade. This would be reasonably satisfactory if there were anything like equality of appreciation of doctrines. But this is not the case. It is still considered that some points of view are fundamentally "sound" and that therefore any opposing doctrines are necessarily "unsound." Although an aura of respectability has been cast over the Labour Party during its development through the years of this century, a vast proportion of the electorate consider its doctrines not only impossible but vicious, so that it is still not "quite nice" to be a Socialist. And this niceness of thought and behaviour, this soundness of doctrine, this notion that there is somewhere a group of inherently right-minded people not only permeates public life, but is also one of the limitations of democracy. A "nice" person at the least shudders at mention of the word "Communist."

Earlier, some reference was made to "equality" before the law. No one doubts the excellence of our legal machinery, at least where the high courts are concerned,



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in criminal trials. But outside these, this "soundness" of doctrine has its influence. Lawyers, when they enter politics generally go "right," so much so that when one goes "left" it may be a matter for exclamation. This in itself is a matter for criticism, and yet we are inclined placidly to accept as a proven thing the perfection of our legal system. Still further, our magistrates were in the main politically nominated, and in the majority of cases, especially in the counties, were "sound" men and women. Apart altogether from the controversy of amateur versus professional, this arrangement has its dangers.<sup>1</sup> This is not to say that justices of the peace, guided by their clerks, do not do their best to administer the law as it stands, but on occasions, as with some Coroners, they love to read little homilies to those who are in no position other than to listen (as was the case with Grand Juries before they were abolished), and may be either deliberately or subconsciously prejudiced in favour of "soundness." This must apply also to any jury concerned with a case dealing with the liberty of the subject. One does not expect any twelve men and women to be without political opinion.

It is brought out again in the case of any industrial dispute, when the "man-in-the-street" is encouraged by a section of the newspaper press to regard those on strike or locked-out as in some queer way not only not part of, but definitely the enemies of, society—society here being understood as all those "right-thinking" people who do not approve of strikes, and who are inconvenienced by them. It does not seem to occur to them that the strikers are also suffering

<sup>1</sup> The situation is changing in this respect.

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considerable inconvenience, and making tremendous sacrifices.

The politics to which we are accustomed do not seem to permit of dispassionate analysis. In the desire to obtain a weight of numbers any device may be resorted to, and prejudices and emotions played upon. The reasons advanced for the celebrations at the time of the 1935 Jubilee, that :

- (a) they created employment,
- (b) they helped to combat Socialism

would hardly be worthy of serious consideration were it not that such arguments must appeal to large numbers of people, and that the constitutional implications of (b), in the relation of the throne to democratic opinion, are of course vast. One party triumphs over another. At the October 1931 election a provincial newspaper produced the gleeful placard : "Socialists swept out of the country." Where were nearly  $6\frac{2}{3}$  millions of men and women swept to :

Whilst British people are viewing continental countries with some concern, wondering how the ordinary people live in Russia or Italy or Germany, and congratulating themselves on the blessings of British democracy, they are apt to forget its limitations at the moment, and its potential dangers for the future. There is a big gap between the sovereign elector and the sovereign parliament. The only link between them would seem to be the cross on the ballot paper, by which a voter expresses all his desires, all his hopes and fears, for a period not exceeding five years. It is to an understanding of that cross that we shall turn our attention. If it be true that "good government is no substitute for self-govern-

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ment," it is urgent that we make self-government good. And at once comes the question : "What is 'good'?"

### CHAPTER II

#### ELECTORS AND ELECTIONS .

It is more than a century ago since one elector<sup>1</sup> sent two members to the Commons, and Cornwall had forty-four representatives (a legacy from Queen Elizabeth), whilst the growing towns of the midlands and the north had none. Between 1832 and 1928 were passed five Acts, each of them adding voters to the register, until to-day there are more than 31 millions.<sup>2</sup> These Acts illustrate what may be called the "illogicality" of the British people ; perhaps more strictly, the political discrimination of the governments of the day. For although, for example, the first Act, that of 1832, increased the number entitled to vote by about 40 per cent., the actual addition was less than 220,000 men, and the re-distribution of seats throughout the country was not on an equitable basis. Moreover, the loss of certain old qualifications deprived the artisan population in some of the boroughs of their votes. Briefly, the Act distinguished between the comparatively well-to-do, that is, the mainly urban middle class, and those not so well-to-do. In the same way Disraeli's Act of 1867 discriminated between the townsman and the rural dweller, but after a relatively short period this gap was closed by

<sup>1</sup> For the borough of Gatton (near Reigate), Surrey.

<sup>2</sup> 31,373,223 in 1935 : *Statistical Abstract* (1937), p. 47.

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Gladstone in 1884. At the same time, the further redistribution of seats brought into being the single-member constituency, though it was alleged that this re-division of the country, into areas which were merely electoral ones, destroyed both local cohesion and local patriotism.

"God was in His Heaven" when the system was firmly established, in which one *man* could have at least one vote, and even to this there were limitations. But although men might be satisfied, many women were not, and their pre-war demand for the extension of the franchise in their favour is a chapter in our political development, now closed and perhaps largely forgotten, serving to show how the revolutionary idea of to-day may become the accomplished and the accepted fact of the morrow. That period of sometimes forceful agitation is an excellent illustration of how difficult it is either to know what is public opinion or how to measure it. For if many, men as well as women, were convinced that woman's demands in the political sphere were inherently right and just, and in line with democratic theory, and that the leaders were able and courageously sincere people, Dean Inge could write of them, long afterwards, that they were "a gang of women, actuated by a mixture of hysteria, hooliganism and sexual perversity, who professed by their crimes of violence to be demonstrating their fitness for the duties of citizenship."<sup>1</sup>

It is a matter for speculation what would have happened to the cause of women's suffrage but for the war. During the last year of that tragic period in the world's history was enacted by the Coalition Government the measure which enfranchized all adult men, and

<sup>1</sup> Dean Inge, *England* (1926).

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women over the age of thirty (in a few cases over twenty-one). An electoral system which assumed that men had political wisdom and understanding at twenty-one, whilst women must wait another nine years before they could hope to attain that happy state, was clearly untenable, and ten years later, in 1928, Mr. Baldwin's Government gave the vote to the "flapper," thereby adding another 5 millions to the register, so that to-day women voters are actually in the majority. The qualification for the first vote was changed in 1926 from a six months' to a three months' residence, from the 1st March to the 1st June in each year, the register being published on the 15th October. For a second vote, the qualification has been since 1918 either the occupation of business premises in a different constituency, or the possession of a university degree by examination. The maximum number of votes which any man or woman might exercise was fixed at two.

Down through the century there were expressed at these successive extensions of the franchise fears based mainly on the principle that such extensions constituted an increasing transfer of government to the forces of ignorance and prejudice, forces blind to the wider good of the "nation," and selfishly concerned only with their own immediate and narrow interests and those of their particular class.\* This was a polite way of saying that if the working people were given the vote, they might use it for what they themselves would consider to be the benefit of the working people.

When in November of 1830 Wellington set his face against "reform," his speech in the Lords was "almost an echo of Paley's words"<sup>1</sup>:

<sup>1</sup> J. A. R. Marriott, *England Since Waterloo* (8th ed.), p. 88.

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"We have a House of Commons composed of 558 members, in which number are found the most considerable landowners and merchants of the kingdom : the heads of the army, the navy, and the law : the occupiers of great offices in the state : together with many private individuals eminent by their knowledge, eloquence, and activity. If the country be not safe in such hands, in whom may it confide its interests ? Does any new scheme of representation promise to collect together more wisdom or to produce firmer integrity ?"

Paley's *Moral Philosophy* was published in 1785, nearly half a century before the agitation over the first Reform Bill.<sup>1</sup>

Actually, these fears have never been realized, any more than the "horror" of petticoat government since 1928. (Is this because women are not yet conscious of their own power, or because they do not trust their kind ?) Before the war, the Government was always formed from one or other of the two old-established parties, and since the war, even with the development of the Labour Party, professing peculiarly to represent the workers' point of view, there have been only two departures from the older parties in power. The records of the administrations of 1924 and of 1929-31 do not seem to constitute any cause for apprehension, though perhaps this may be because of the ineffectiveness of the governments, and in spite of the political "waywardness" of their supporters.

When, at the time of a general or a by-election, the voter goes to the polling station, takes his paper and enters his booth (there to be invited by illustration to vote for Mr. Alpha or Mr. Beta !), his task is strictly an almost impossible one. By his cross on the paper he is helping to determine history for the next five years, or

<sup>1</sup> Cf. Dicey, *Law and Opinion in England* (2nd ed.), p. 73.

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less. We have seen the franchise being given according to wealth, to living-place, to sex and to age as between the sexes. But there is a more fundamental principle to be considered. Are the people fit to assume the responsibility of self-government, as expressed in a representative House? If they are not, then some one else will take, must take, that responsibility, a benevolent despot of a bygone age, or a modern dictator. Such a change may be skilfully made, not by a reduction of the franchise, but through an alteration in the organization of the state, as for example in Germany, Russia, and Italy to-day. Meanwhile there are those who, whilst not desirous of seeing in this country a "totalitarian" state, either Right or Left, would like some sort of restriction on democracy by numbers. But to others who still have a firm faith in democracy, and wish to preserve it, however badly it may appear to work, such suggestions as raising the voting age to twenty-five or thirty, or some form of "educational" test, seem very weak and ineffectual in the face of present-day threats. What especial political sanctity is there in any given age or in any degree of education?

If government be such a complex matter that it should rest only on the consent of those who are both knowledgeable and wise, then something is wrong in this country. In England and Wales, approximately  $5\frac{3}{4}$  million children obtain no more than an elementary education, and less than  $\frac{2}{3}$  million are taught beyond the age of fourteen plus. The position would be bettered, of course, if educational facilities were so increased as to abolish this inequality. The whole argument turns on what is "political wisdom," and what is its relation to education, in the formal sense. London University

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could reject Mr. Sidney Webb, whilst the largely mining population of Seaham Harbour returned him with an enormous majority. 'Who were the wiser—the graduate electors of the university, or the men and women of that part of Durham? It is all a matter of point of view. The above illustration might even be used as an argument *against* the extension of education.

There has also been the long-expressed fear that government, again as an "organized quarrel," would resolve itself into a clash between the "haves" and the "have-nots." To-day, about 87 per cent. of incomes received, representing about 58 per cent. of the total national income, do not exceed £250 per annum. In earners, this means about  $16\frac{1}{2}$  million persons. If there were a horizontal division as between political supporters it could be argued that these millions, plus their adult dependents, and the unemployed people plus their dependents, would be solidly in favour of a party which claimed to stand for the "bottom dog." This is not the case: there is no such division. The largest number of votes polled by the Labour Party was in May of 1929, when just over  $8\frac{1}{2}$  millions supported it, as against nearly 14 million opponents. By November 1935, it recovered the ground lost in 1931, again polling about  $8\frac{1}{2}$  millions, nearly  $13\frac{1}{2}$  million people voting for other parties.

Any party which gets the support of a majority of the electorate, and also a majority in the House (these do not necessarily go together), "has in general the right to have its leaders placed in office." Expressed practically, this means the possibility of a Fascist, Socialist, or Communist Government, with an absolute majority, which is a rightly coherent fear of all those who at the last election



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in 1935 supported the National Government ; but it is neither undemocratic nor even a limitation of democracy, as some would maintain, but a fulfilling of its purpose. There is no suggestion for the moment of what might happen afterwards, were any of these parties to obtain power in the near or distant future. •

The organization of society must be accepted as it is, the inequality of education, the possible lack of political "wisdom," the unequal distribution of income, the challenge that government rests on the approval of the ignorant and the selfish. Yet those who issue such a challenge are often more than ready to play upon the emotions and prejudices they condemn, and to exploit them for party-political ends. "Hang the Kaiser," "Make Germany pay," "The Zinoviev letter" of 1924, the Savings Bank "ramp" of 1931 have all played their very effective parts in determining the composition of governments. If a party claim : "We can cure unemployment," is it selfish for an unemployed man to vote for that party ? It may be stupid and short-sighted, but is it selfish ?

Even if universal suffrage be accepted without demur, its practical expression through the electoral machine is attacked. In the seven General Elections between 1918 and 1935, not one showed any real correspondence between the votes cast in the country as a whole, and the distribution of parties in the House, the results of the December 1923 election showing the least discrepancy. As has been pointed out, in 1884 the country was carved into single-member constituencies, and the re-distribution of 1918 aimed at about 50,000 voters in each. As time has gone by, constituencies were bound to become unequal

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in voting strength,<sup>1</sup> due to the "shift" of population, the increase in the electorate by the Act of 1928, and to the varying intensity of the incidence of births and deaths as between different districts. This is a matter for administrative adjustment. It should be noted that there is a small number of double-member constituencies, and that there is also "functional" representation of university graduates, who with their second vote return twelve members. Apart from these two exceptions, the House of Commons is elected by single-member constituencies, and the results have often been both curious and unfair.

Consider, for example, the election of October 1931, following the crisis of that summer. There were sixty-seven uncontested seats (sixty-one Government, and six Labour). For the 548 contested seats, the approximate figures were :

	Votes cast (in millions)	Seats obtained	Uncontested seats	Final result
Government Parties	14.5	493	61	554
Opposition Parties	7.1	55	6	61
Totals	21.6	548	67	615

In the final analysis not only was the Government in the majority of 9 : 1 in the House, as against just over 2 : 1 in the country, but it follows that the cost of seats in votes was disproportionate as between the two sets of opponents, for whereas a Government supporter was backed by 29,000 effective voters, Labour members each represented no less than 144,000 of the electorate. This is because our present system permits a "minority"

<sup>1</sup> In 1937 there were nine constituencies with more than 100,000 voters, and ten constituencies with less than 30,000 voters. Thus the contrast between, for example, Romford (167,939), and Hendon (164,786), and Barnard Castle (27,309) and Bethnal Green, S.W. (27,484). No less than fifty-six constituencies had electorates of 70,000 and over.

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candidate to be elected,<sup>1</sup> and because the grouping of constituencies can cause a large minority in a whole area to be unrepresented.

In the eleven southern counties of England, stretching from Kent to Cornwall, the seventy-nine contested constituencies gave the following result<sup>2</sup> :

PARTY	VOTES	SEATS
Government . . . . .	2,068,323	77
Labour . . . . .	836,573	0
Liberal . . . . .	320,307	2

For the country as a whole, there is therefore the position that the effective voice of public opinion may not be so effective after all. The situation may be further aggravated. In October of 1924 nearly 7½ million people voted for the Conservatives, whilst nearly 8½ million voted against them (Labour 5.4 million ; Liberal 3.0 million). Though Labour and Liberalism are opposed to each other, they are both opposed to Conservatism ; yet the Conservatives had an absolute majority in the Commons, and ruled for nearly five years. Similarly in 1929, the Labour Party, with 8½ million supporters, was opposed in the country by over 14 million electors. But in this case Mr. Macdonald's Government did not have an absolute majority in the House.

Faced with this electoral "gamble," as it is often called, and uncertain that his vote will be effective, the ordinary elector may become very discouraged. He must always be prepared to see his own man defeated by a narrow margin, and the successful M.P. elected on a minority vote. If there be no candidate of his own

<sup>1</sup> In the May 1929 election over half the House of Commons was returned on such minority votes.

<sup>2</sup> J. H. Humphreys, *The General Election, 1935, and Constitutional Reform.*

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party, he is placed in the position of either having to vote for some one who is really a political opponent, in order to try to keep out some one else rather worse, or of not voting at all. It must not be thought that this situation is altogether the result of the three-party system. Similar conditions obtained before 1914, when the Labour Party was small and the Irish Party particularist in its appeal. The "khaki" election of 1900 gave the Conservatives a disproportionate majority in the Commons, a majority they lost in the famous "landslide" of 1906, when in January the Liberals remained in power after the election of that month, with an advantage in numbers over their Conservative opponents nearly four times as large as it should have been.

Since the war the Liberals have been badly "squeezed," and until 1931 paid more in votes for their seats than any other party. To an extent bad tactics may have been responsible, as when they helped to destroy the MacDonald administration of 1924, placed in office as it was by the statesmanlike attitude of Mr. Asquith. As a result, at the ensuing election, the Liberal poll was reduced from just over  $4\frac{1}{4}$  million to 3 millions, but their membership of the Commons fell from 158 to 40, instead of to the "just" number of 120. From then on it was assumed, much too freely, that the Liberal Party was dead, and that in future politics would be a straight fight between Conservatism and Socialism. But the election of May 1929, following the granting of the vote to women at twenty-one, found the corpse sufficiently lively to produce  $5\frac{1}{4}$  million voters, but again it obtained only 59 seats, instead of a proportional 142. It is no wonder that "Electoral Reform" has become one of the demands of the Liberals. Thus does political

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expediency attain the dignity of a "principle of democracy." In the days of Sir Henry Campbell Bannerman and of Mr. Asquith, one does not seem to have heard of much, if any, murmur ; there was always the chance that losses on the swing-boats would be recouped on the roundabouts !

The Speaker's Conference of 1917 made certain proposals for the modification of the electoral system, but there was no agreement upon them in Parliament. Later, Mr. Macdonald was not prepared, in 1924, to concede the request of the Liberals for some sort of reform, but during his second tenure as Labour Prime Minister in 1929 the Conference under the chairmanship of Lord Ullswater, formerly the Speaker of the House of Commons, reported by a majority in favour of Proportional Representation. In the spring of 1931 there was introduced into the Commons the Representation of the People Bill (No. 2),<sup>1</sup> which proposed the system of the Alternative Vote, and the abolition of double-member constituencies, the business premises qualification for plural voting, and the university franchise. The Bill was amended in the Commons, and so mutilated in the Lords that it was dropped. But for a time it did seem as though the next election might be fought on somewhat different lines.

It is above-all necessary to keep alive an interest in politics, and to develop as well as may be a keen and intelligent appreciation of the many problems that face a government, and this must be borne in mind when any scheme of Electoral Reform is considered. Principles

<sup>1</sup> This Bill also proposed the pooling of motor cars at an election. A Bill with a similar purpose was introduced into the House on February 11, 1938, but the debate on Second Reading was "talked out."

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and personalities make a nice mixture in British public life. It would seem to be an unwise step to introduce any change which might either confuse the elector, and so further discourage him, or which might deaden interest. It is true that behind each candidate stands a set of political ideals and principles, and that the voter is really asking for a programme to be put into operation. But the candidate is a person, and presumably of interest as such. Moreover, when in power, the programme is carried out by men and women, and it is not reasonable to assume as just, that only the leaders need have a personal appeal, whilst the rank and file of members are merely votes in the appropriate division lobby, although this may be the situation in practice. And "leaders" have to emerge; they do not begin their Parliamentary careers eminently. Further, there may be a difference in electoral appeal as between men and women. There is the danger of generalization here, but it is argued that men are interested in affairs and in principles, women in people and in details. How far these interests, if such a division can be made, may be in agreement or may clash in any given home at the time of an election it is impossible to say. It is not uncommon, even to-day, to hear women declaim against their civic responsibilities on the grounds that politics is a "man's job." After all, it may be that apathy rather than political "wrong-headedness" is the greatest danger to democracy, opening the road to a seizure of power.

A scrupulously correct result in any election could be obtained if the whole country were regarded as one area, and voters were invited to approve of a party, the number of members to be returned being worked out in strict relation to the totals recorded, the results to

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be communicated to party headquarters, for the selection of the actual persons to go to the Commons. This would make the organized parties all-powerful, would ensure an almost permanent political career to the "chosen," would reflect the will of the people in the House of Commons on a basis of mathematical accuracy—and would probably kill interest in politics. This applies also to a system of very large constituencies, with a list of candidates offered to the electors, again with the results to be worked out proportionately on party lines.

There are two points worth considering here. First, if by any such system party organization became dominant, then to the problem of the democratic basis of election to the Commons is added another: how to control the party machine? Presumably, any party organization *can* be controlled.

The second point is whether democracy and its limitations are worth considering, anyway. At the best a majority government, over the selection of whose members there is but the semblance of control, elected by, but not fairly representative of, an uninstructed multitude is a gloomy enough picture. If, of course, democracy come to be regarded as an outworn creed, then there is no useful purpose served in discussing ways and means of removing its limitations. Those who feel that way will be impatient of this analysis, if they ever read it, and will regard with envy such systems as in Russia, where at least it is unwise to be a Trotskyist; or as in Italy, where it is unpleasant not to be a Fascist.

Herr Hitler had no patience with our muddling, and in just over three years he managed so to unite the German people that majority government became almost unanimous government. On March 5, 1933, less

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than six weeks after he became Chancellor, there was an election on the old party lines, in large constituencies with the Reichstag seats distributed according to totals. The most important parties polled the following votes (in millions approximately) :

PARTY	VOTES
Communists . . . . .	4.8
Socialists . . . . .	7.1
Centre Party and Bavarian People's Party . . . . .	5.4
N.S.D.A.P. (Nazis) . . . . .	17.2

Hitler permitted no more elections like that. Henceforward, it became a case of YES or NO or INVALID. Voters are asked to state whether they approve or disapprove of the policy of the Government. Opposition parties have been suppressed, the expression of critical views made an offence, and the whole ingenious machinery of modern propaganda set to work at full pressure. It is not surprising that elections should give enormous majorities for the Government. Thus, on Sunday, March 29, 1936, the election following the occupation of the Rhineland resulted in 44 million Ayes and 400,000 Noes. On Sunday, April 10, 1938, following the merging of Austria with Germany, the election results were (for Greater Germany) 48½ million Ayes and 452,180 Noes.

Since, however, the British people so far have not reached the heaven of totalitarianism it may be worth while to consider the schemes for electoral reform. For bringing about a stricter correspondence between the voters and the party distribution in the House the usual proposals are the Second Ballot, the Alternative Vote, and Proportional Representation. The first two retain the present organization of the single-member constituency;



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the last insists upon its destruction, and the substitution of a larger one. The ills of minority representation, especially as between a group of adjacent constituencies are not removed by the first two suggestions, but it is claimed by its adherents that the system of Proportional Representation does prevent unfairness.

The Second Ballot is used in any constituency where with more than two candidates no one at the first count obtains an absolute majority over the rest. The candidate at the bottom of the poll is struck off, and the electors vote again in ten days' or a fortnight's time. Apart from the question of extra expense, and the possibility of unhealthy and even dishonest bargaining between groups of supporters, the scheme would probably be unworkable in this country. The British people may be politically minded, but it is doubtful if they be politically energetic.

The Alternate Vote was the proposal contained in the Bill before Parliament in 1931. It combines the two operations of the First and Second Ballot, but again, of course, only applies where there are more than two candidates for a seat. The elector is invited to mark his ballot paper with a **X** or 1 against his first choice, and to indicate his second preference by a **2** against the name of the person he would like to see returned if his own choice be unsuccessful. An imaginary result might be :

(Counting *first* preferences only, *i.e.* ignoring all "2's," and regarding the ballot paper as in the present system.)

CANDIDATES	VOTES POLLED	
	Case A	Case B
BROWN, A. . . .	10,000	8,000
JONES, B. . . .	5,000	6,000
SMITH, C. . . .	3,500	4,000

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In Case A, Brown is in an absolute majority of 1,500 (10,000 over 8,500), is returned, and there the matter ends. In Case B, Brown is in a majority of 2,000 over Jones, and as things are to-day would be declared returned with that majority. But this majority is not "absolute," for Jones and Smith have between them 10,000 votes in opposition. Smith at the bottom of the poll is now excluded, and his votes transferred according to the "2's" on his 4,000 papers. It is not easy to forecast any result. If it be imagined for a moment that the candidates are Conservative, Liberal, and Socialist in that order on the ballot paper, then possibly most of the people who voted "1" for Smith will vote "2" for Jones, on the assumption that Liberalism and Socialism are more closely akin than Conservatism and Socialism. Some, however, may vote secondly for Brown, because they like him, or know him, or because they do not really realize the connection between party and candidate. And some will vote for Smith, of whom they approve, but will not be party to the return of a political opponent, and so, by "plumping" for their own man and remaining silent after recording their first preference, do not indicate their second choice, and in this way defeat the main purpose of this system. The result in Case B might be as follows:

CANDIDATES	FIRST PREFERENCE	SECOND PREFERENCE	PLUMBERS	TOTAL
BROWN, A. . .	8,000	1,000		9,000
JONES, B. . .	6,000	2,500		8,500
SMITH, C. . .	4,000	500		500

If there be a tie at the second count, the candidate with the larger number of First Preferences is returned.

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In this illustration Mr. A. Brown puts M.P. after his name. His position, however, is not altogether comfortable, for he knows he has been returned with Labour support, and if Labour voters had been more solid for Liberalism, as a second-choice, he would not be in. A member of Parliament is already likely to be a victim of divided loyalties—this will be discussed later—and here is a fresh difficulty. In trying to please both first and second preference voters, he may easily fall between the proverbial two stools.

In addition to this, the scheme does not really do more than alleviate misrepresentation ; it does not end it. If the candidate at the bottom of the poll is only a few votes removed from the one immediately above him, he will at least feel sore at being struck off. Further than this, let us consider a case of, say, twenty adjacent constituencies each polling 50,000 electors, and in each constituency the order of voting :

PARTY	VOTES
Conservatives . . .	20,000 (total votes, 400,000)
Liberals . . .	18,000 (total votes, 360,000)
Labour . . .	12,000 (total votes, 240,000)

In each case the Labour candidate is struck off, and whatever happens in the transfer of Second Preferences, 240,000 Labour supporters in the combined area go unrepresented directly, when proportionally they should have five members. This is the kind of thing which might happen, for example, in grouped county areas ; and the same in an industrial area, except that here Conservative supporters might be penalized. In the county of Durham, at the 1929 election,<sup>1</sup> the results were :

<sup>1</sup> *Proportional Representation Leaflet*, No. 28 (February 1931).

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PARTY	VOTES	SEATS
Labour . . . . .	400,000	17
Conservative ; . . . .	220,000	1
Liberal . . . . .	170,000	0

There remains to be considered the system of Proportional Representation, of which there is more than one variant. That generally favoured in this country is called the Single Transferable Vote, and those who approve of its use claim that if it will not cure every electoral ill, it will do much toward that end. The single-member constituency is abolished, and larger electoral areas, convenient groupings of former ones, are brought into being, for the election of from three to seven members. A county or county borough which to-day returns, say, five members would become a single constituency, and larger areas (London, for example) would be divided, though of necessity the final grouping would be somewhat artificial.

Assuming the existence of Proportional Representation on this plan, and further assuming a constituency of five members, let us put ourselves in the position of Mr. Ordinary Elector. The ballot paper is a much more lengthy affair, with an alphabetical list of the candidates for the seats, and Mr. O. Elector is invited to put a '1' against the name of his favourite, and then to go on marking in order of preference, knowing that five candidates must be returned—2, 3, 4, and so on, until he be indifferent. He then folds up his paper, drops it in the ballot box, and he has finished with voting for some years. It sounds easy, especially to a nation accustomed to football pools !

But to many the list submitted will seem formidable

enough. The number of candidates offered will largely depend on what view the parties take of their chances in any constituency : they may not put forward a full list, but if they do, and if in addition an odd Independent or so considers he has a sporting chance, and is prepared to risk his £150 deposit, there might be anything from fifteen to twenty candidates.

There is little question that voting by this method will give a fairer result, as far as the composition of the House of Commons is concerned, than is the case to-day. None the less, there are certain difficulties, difficulties which must not be slurred over in a short reference to the experience of other countries. It is, at the very least, callous to ignore those of the electorate who would be bewildered by the ballot paper, and to suggest that they ought to disenfranchise themselves by refraining from voting. And though it be true that the elector's task is finished when he has marked his paper, it is not desirable that he should be unable to understand the calculations afterwards. Clearly, were any scheme of Proportional Representation adopted in this country, the political parties and the newspapers would be very busy explaining it to their followers and readers. And of course at the time of an election, the party organizations in the constituencies would be concerned to tell every one exactly how to mark the longer ballot paper. But it is too often assumed that because A understands, B must also. If the aim be to maintain a close touch between the people and the Commons, it would seem to be a first necessity that the former should understand exactly how the latter comes into existence. Most people can count and understand simple figures. Is the choice then between an understanding of simple but unfair figures, and a

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failure to understand calculations which are fairer but complex :

When all the votes in the enlarged constituency have been cast, there is worked out a minimum number of these necessary to return one candidate. This is called the "quota," and is found by the use of the formula :

$$\frac{\text{Number of votes cast}}{\text{Number of seats} + 1} + 1.$$

The ballot papers are sorted to begin with, according to First Preference votes. Using simple figures for illustration, suppose there to be 300 effective voters and 5 seats to be filled. The quota is then

$$\frac{300}{5 + 1} + 1 = 51.$$

Any candidate who receives this number of First Preference votes is declared returned. He does not require a greater number than 51, so that if he have more than this he can afford proportionally to transfer any surplus to candidates marked **2** on his papers. We will imagine that candidate A receives 91 votes ; that is 40 more than he needs. All his papers are sorted again, this time according to Second Preferences. There is a further calculation based on the formula :

$$\frac{\text{Number of S.P. votes}}{\text{Number of F.P. votes}} \times \text{surplus to be transferred.}$$

Thus if candidate B, not himself having the necessary quota, is marked **2** on 45 of A's papers, then he is entitled to a transfer of

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$$\frac{45}{91} \times 40 = 20 \text{ votes.}$$

And if candidate C is marked 2 on 23 of A's papers he is entitled to

$$\frac{23}{91} \times 40 = 10 \text{ votes.}$$

If, when the surpluses of all candidates have been transferred proportionally in this way, the full number of five candidates has still not been returned, the candidate at the bottom of the poll is struck off, and his actual votes transferred to candidates marked 2 on his papers. This process is continued until five candidates *do* obtain the quota, using third or fourth Preference votes if necessary. It is no use transferring a vote to a candidate already returned or excluded, so it can go on being moved until it does find a home. What was said about "plumping" with regard to the system of the Alternate Vote applies similarly here.<sup>1</sup>

Given that Mr. O. Elector understands all this, and that the various parties come to any sort of agreement to work each constituency, so saving money and effort, the result is a more fairly representative House, with the possibility that no party will be in an absolute majority, but dependent upon the support of a third party in order to hold office. The third party in the state in order of number of supporters is the Liberal Party, which has curiously disintegrated since 1931. The 5.3 millions of

<sup>1</sup> The calculation can also be based on the formula :

$$\frac{\text{Surplus}}{\text{Number of First Preferences}} \times \text{Number of Second Preferences}$$

$$\text{e.g. } \frac{40}{91} \times 45 = 20 : \frac{40}{91} \times 23 = 10.$$

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Liberals of 1929 shrank to 2.3 millions in 1931. And of this latter number a little under 2 millions called themselves "Liberal National," whilst  $\frac{1}{3}$  million went into opposition. A further change took place in 1935, when the supporters of the Liberal Nationals fell to just over  $\frac{3}{4}$  million, whilst over  $1\frac{1}{3}$  million Liberals voted for the opposition. It is at least doubtful if this once great party will ever again be in a position to hold a balance of power, unless any election return Conservatives and Socialists in approximately equal numbers. Opponents of Proportional Representation do not like to contemplate the "weak" governments, which must, they argue, result from any sort of administration "in office, but not in power." And they point out that political coalitions not only produce strange bedfellows, but lead in the end either to disruption or to a submission of the weaker to the stronger, especially where political policies are diametrically opposed and permit of no compromise. It is better, they think, to have a government which at least attempts to govern, even though it be an unfair reflection of the mind of the nation. It does not seem unduly to trouble any party even if it is in power without a majority support in the country. A party not in power can always hope for the future !

But an electoral system, however perfectly devised and understood, may not "save" democracy. Mr. Ramsay Muir, at the end of a paragraph<sup>1</sup> describing favourably the German system of Proportional Representation, says : "The successful emergence of Germany from her difficulties has been due in no small degree to her electoral system." This was written in 1929, and it may have been true then.

<sup>1</sup> *How Britain is Governed* (1st ed., 1930), pp. 179 and 180.



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The electoral system, however, does not seem to have worried Herr Hitler overmuch since he became Chancellor on that Day of National Resurgence, January 30, 1933.

### CHAPTER III

#### THE HOUSE OF COMMONS

SINCE Representative Government in this country expresses itself through a House of Commons of 615 members, the greater number of whom are men, the first question one is entitled to ask is, "Who *are* these men and women?" It would be interesting to inquire of every member or aspirant for membership of the House, exactly why he (or she) wants to take up a political career. There are very few bars to candidature—convicted felony, lunacy, bankruptcy, ordained membership of the Established Church, or a peerage (except for those members of the Irish peerage who do not sit in the Lords). If a man or woman be duly nominated at the time of a general or by-election, he or she is entitled to stand as a candidate for parliamentary honours. The only penalty, outside any possible charges against candidates and their agents for "corrupt practices," is the forfeiture of a deposit of £150 if less than one-eighth of the total votes cast are not obtained. This penalty is devised to prevent "frivolous candidatures." The candidate need have no connection with the constituency he is contesting; indeed, in many people's view, he is all too often a "stranger."

It would seem, therefore, that the sole qualification,

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within the minor limitations mentioned above, for membership of the House is the confidence of a sufficient number of voters in the constituency, which number, as we have already seen, may not be a majority. The choice of candidate must often occasion surprise to many. Who is he? And where has he come from? What does he do? And why have "they" picked him? The answers in the main are fairly simple, and can all be supplied in the one word "party." The party system is accepted as both normal and rational in British politics. Independent candidates, and even party candidates with independent views, if not openly frowned upon, are regarded askance. We are very conservative in this matter. There is no one living to-day who can remember when there were no parties; there always have been parties, thinks Mr. O. Elector, and I suppose there always must be. True, old parties decay and new ones come into being, and there are all sorts of fresh alignments and new groupings. (In the election of 1931 there were no less than nine different political labels used, and in that of 1935 there were eleven.)

• With the exception of the small handful of people who have either sufficient influence or popularity or money to seek election under the title of "Independent," the majority of candidates are attached to and sponsored by a party, which means that they accept an agreed political programme. And party organization, both in the constituencies and in the Commons, is such that faithful and unquestioning adherence to a party policy and the loyal support of the leaders are the first and major demands made upon any members. A candidate to be adopted need not be wealthy, though it is advisable, most certainly he need not be talented, but he must be

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loyal to party. This answers all the questions of how, why and where, and explains the appearance of a total stranger, either to contest an election or to nurse a constituency. It is true that before any candidate is selected for any party, there is discussion between central headquarters and the local organization, but it is also true that life-long supporters of a party in any constituency may often be in a state of pleasurable anticipation, wondering whom they will get next. (They should, of course, take more active part in the local organization, and so help to determine the person to be selected.)

Officially we do not recognize "party." It may be recalled that in the spring of 1935 the Government issued a White Paper on Defence, in which they used the words "National Government," and drew upon themselves the censure of the leader of the Opposition, who said that he knew "His Majesty's Government" and "The British Government," but no "National Government." In keeping with this, the member represents, to speak accurately, the interests of a geographical constituency. To speak even more accurately, he represents the party views of a proportion of the electors in that constituency.

There is, then, no sort of positive "qualification" for membership of the House, but the conditions of political service in the Commons do to an extent determine the type of person who will seek to make of it a career. Both leisure and money are needed. But perhaps to talk of a "career" is misleading. Elections, besides being expensive, are risky, and a member after many years' service may find himself "out." He may have been able to manage on the £400 per annum (raised to £600 per annum as from July 1, 1937), but what is to happen

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to him if defeated: Men and women of independent means, or whose occupation in life is one capable of the adjustment necessary for attendance at the House, have no cause for apprehension. But this uncertainty of the future may be a real fear to many actual members, and may also deter others from offering themselves as candidates. There is a certain horror in this country at the idea of "professional" government. It is felt that at all costs there must be preserved what many feel to be a fundamental of the British system of government—the working together of the unpaid but responsible amateur, and the paid but politically irresponsible expert. Actually members have been paid at the rate of £400 per annum since 1911, and when, twenty-six years later, it was proposed to adjust a 1911 figure to living conditions in 1937, some of the protests made suggested a belief that this might be the thin edge of the wedge of professionalism. At the same time, in the discussions in the House, the fear of the future expressed itself in a request for some form of superannuation fund for members.<sup>1</sup>

Paley's description<sup>2</sup> of the House in 1785 is not necessarily true to-day, but it is obviously more possible for the people he includes than for many others to serve in Parliament. Party and trade union funds may be drawn upon for constituency work, but it is unlikely

<sup>1</sup> In 1937 a Departmental Committee was set up to investigate the possibility of pensions for members of the House of Commons. It reported that it might be possible to establish a fund, based on a contribution of £1 per month per member, and from this fund pensions might be granted to a small number of beneficiaries, who would be selected because of their long service in the Commons (at least ten years), and because their age would probably prevent their obtaining adequate employment. The amount granted would be sufficient to bring the income from all sources to a maximum of £150 per annum. See Cmd. 5,624.

<sup>2</sup> See *supra*, p. 27.  
(4,664)

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that these organizations could (or would) saddle themselves with "pensioners."

In all this there is no reference to "ability." It is assumed that the members of a party organization only approve of a candidate if they think he is able, in the sense that he will appeal in the constituency, will make more or less good speeches and obtain votes, and that if successful he will make some sort of show in the House, whilst loyally endorsing the party programme. Further, it is considered that there is no need for members of the Commons to be in any sense specialized experts whilst there is an efficient Civil Service. All that would seem to be needed is "common sense,"<sup>1</sup> and in addition it is accepted, though not by every one, that a House of Commons representative of all activities in our national life cannot but be an accurate reflection of it. Attainments in other walks of life are not necessarily valid guides to the possibility of similar success in the Commons. But all this is irrelevant so long as the party accepts the candidate. This is not to say that the members of the House are unfitted for their tasks; it is just that no sort of test can be applied other than the one of "political capacity," as determined by the party organization.

The position of the man or woman who in all sincerity—and until this be proved to the contrary, it must be taken as read in the case of every member—follows a parliamentary career is an extremely arduous one. It must be remembered, though it is often overlooked, that the House of Commons is primarily a debating chamber. It was once the custom for a man to make his mark on

<sup>1</sup> It should be noted that many members do interest themselves in some special aspect of public work.

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the merit of his speeches and his powers of persuasion, before what was often described as the most critical audience in the world. The House is still a forum for discussion, but it is doubtful if political careers to-day are built up merely on debating abilities. It is neither possible, nor is it desirable, that in any session every one of the 615 members should make speeches, especially when there is no limit to such speeches, except those of repetition and relevance imposed by the Speaker. The House, with its Standing Grand and other Committees, has to carry through more work than it can adequately manage, whilst many private members may feel that they are under-worked. But if a member take his duties seriously and does not want to be just a vote, his task is no easy one. For if it be for many a matter of some anxiety to address the House, there is also involved a strain in listening. Real, intelligent listening is not easy, but it is a duty cast upon M.P.'s. Attendance at debates and committees, the addressing of meetings, visits to the constituency and the entertainment of local supporters would seem to comprise the substance of a very full and busy life. And this leaves out of account any attention which a member has to pay to his own particular business, the needs of his family, or the demands of social functions.

Even if a man accept all this willingly and cheerfully, his lot is not eased by the possibility of his becoming a victim of divided loyalties. He is, first and foremost, a party supporter, and it is the duty of the Whips to see that he remains one. Normally this may not be too difficult a task, but there have been cases when politics clashed with other interests, or where the interpretation of a party programme has given rise to differences. Religion and politics may easily run counter to each

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other, and many members may have their own particular interest in all kinds of activities.<sup>1</sup> The member is an individual, and many people think he should be permitted to use his own independent judgment, and should not be subordinated to party at the cost of offending his conscience. It is not the custom to-day for members to "cross the floor of the House" as a protest against any party's actions. Since the war there have been a few such crossings.<sup>2</sup> Desertion of party is a more vital matter if it be from the Government side of the House than if it be from the Opposition. It is negligible if a government have a substantial majority and can therefore afford to lose some of its votes, but it may be vital when a minority government is in power. In either case, the private member may be put into the difficult position of having to choose between loyalty to party—which, it is assumed, is a pre-condition of his candidature—and loyalty to and faith in his own judgment. In practice there are greater penalties attaching to a desertion of party than to a denial of one's own individuality.

The drive would seem to be more and more in the direction of even greater party rigidity, to the extent of the exclusion of those who want to co-operate with other groups. The attitude, for example, of the Labour Party in its relation to other Left-wing bodies is illustrative of this. And in some continental countries the goal of identifying party with state has been reached.

<sup>1</sup> It is difficult to see, for example, how a convinced prohibitionist could vote for finance measures which included the raising of a substantial amount of revenue by taxes on beer and spirits.

<sup>2</sup> e.g. the late Lord Melchett (as Sir Alfred Mond), Lord Strabolgi (as Commander Kenworthy), and Viscount Chelwood (as Lord Robert Cecil). In April 1938 the Duchess of Atholl "declined the Government Whip" because of disagreement with the Government's policy in regard to Spain and the Italian agreement. She remained, however, on the Government benches.

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Whilst many in this country shrink from the idea of the submergence of the individual, which would involve the destruction of parliamentary institutions, there are yet those who feel that an Opposition should no longer oppose,<sup>1</sup> even if it should be permitted to exist. This has been especially so since 1931. The very term "National" as a prefix to His Majesty's Government suggests that the supporters of the Conservative Party are loyalists and patriots and have the best interests of the country at heart, whilst opponents are both disloyal and destructive. This can be, and has been, pushed to extreme and absurd lengths in the country, and would lead logically to the ultimate suppression of any form of opposition, in effect to dictatorship. Supporters of other parties have a very real fear of this. Moreover, there is expressed the suspicion that a "National" Government might easily shade into something of the nature of a Fascist one if a fundamental issue were to arise. It is therefore felt that an Opposition must at all costs most rigorously oppose, not only because this is its first duty in a democratic state, but also to preserve the very existence of that state and the right and power freely to criticise. Ironically enough, in this struggle to preserve democratic forms and the freedom of the individual, the private member may be in danger of losing his own personality, or at least of having it suppressed.

As the position stands at the moment in this country, the "will of the people" is expressed practically through the representative body of the Commons. The building itself, erected a century ago (and too small to accommodate all 615 members comfortably), is significant of the party system, with the inward facing benches to the

<sup>1</sup> Cf. the leading article in *The Times*, December 21, 1937.



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right and left of the Speaker's canopied chair. The occupants of the Treasury Bench, on Mr. Speaker's right hand, form the Government of the day, and with a sufficient majority (and a quiescent Lords) have little difficulty in ruling. It has been said that the House of Commons has become "a machine for registering the edicts of the Cabinet," that, in fact and clearly through party organization, the Cabinet controls the Commons, whereas, at least by convention, the Cabinet can only hold office so long as it retains the confidence of the Commons, a convention which can be enforced by the withholding of supplies. How often in the past generation have the Commons exerted this control?

The elections of January and of December 1910 followed dissolutions asked for by Mr. Asquith, the then Prime Minister, who in each case had majority support in the House.<sup>1</sup> The Parliament of December 1910 prolonged its life by three years, as it was not considered advisable to hold a General Election during the war. As soon as convenient after the Armistice of 1918, Mr. Lloyd George went to the country, but by then parliamentary conditions had changed, for the government was no longer on a strict party basis but on a coalition one. Returned to power, this government lasted for four years, but the long-smouldering Conservative discontent with the Prime Minister and his attitude burst into flame in the "Cabin Boys' Revolt." The meeting of Conservatives at the Carlton Club on October 19, 1922, under the chairmanship of Mr. Austen Chamberlain, then holding the post of Lord Privy Seal, was the death-blow to the war-time coalition and the beginning of a return to "normal" party politics. It was at this meet-

<sup>1</sup> But see Chapter VII., on the House of Lords.

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ing that Mr. Baldwin said, "If the present association with the Prime Minister goes on, the disintegrating process in the Tory Party, which was already far advanced, would go on inevitably until the old Conservative Party was smashed to atoms and lost in ruins." When it was resolved to break the connexion, Mr. Lloyd George immediately resigned, Mr. Bonar Law became Prime Minister, and an election followed in November of 1922. It is not altogether accurate to say that the Cabinet lost the confidence of the Commons, especially as Mr. Balfour, Mr. Chamberlain, and Lord Birkenhead remained with Mr. Lloyd George. It was rather a matter of party warfare and manœuvring than of Commons' control.

The next government did not remain long in power. It was led at first by Mr. Bonar Law, and his place was taken in May 1923 by Mr. Baldwin, who was granted a dissolution in the November to contest an election on the issue of Protection. Again, there is no suggestion that the Commons withdrew their confidence from Mr. Baldwin.

At the ensuing election the Conservatives lost over a hundred seats, and in the new parliament no party had an absolute majority. At its first meeting on January 15, 1924, Labour proposed and carried with Liberal support a vote of no confidence, and Mr. Macdonald became Prime Minister. But after only nine months of office he made a vote of censure of the Liberal amendment for a Select Committee to investigate and report on the Ross-Campbell case, and was defeated by 364 to 198. With the Commons divided as it was between the parties, this can be said to be a withholding of confidence. But if the government party have an absolute majority, this situation can only arise with the defection of a number of government supporters. Mr. Macdonald was granted

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a dissolution—it seems that Mr. Asquith had not reckoned on this—but was defeated at the election of October 1924, and since then the history of parliaments has been not a little curious. Mr. Baldwin's ministry lasted its full term of five years, to be replaced by the second Labour administration of 1929 in a happier position than the former one, but still dependent upon Liberal support. During his first period of office Mr. Macdonald had made it clear that he would only resign on a specific vote of censure, and now, at the beginning of second period, he said, "I wonder how far it is possible, without abandoning our party positions, to consider ourselves more as a Council of State and less as arrayed regiments facing each other in battle?"—a somewhat new and perhaps strange view of the "organized quarrel" of parties in parliament.

The position of the Labour Party, for the second time in power but without its own majority, raised again among its own people the problem of whether the Party should take office unless it could command the Commons. After the experience of 1924 there were many who felt that it was discreditable for a government—and of their own leaders—to be so much at the mercy of any other party. But clearly Mr. Macdonald felt that his position was much stronger in 1929, though he still had less than half of the Commons in party support. And yet this Labour Government was not driven out of power by the Commons; it was destroyed by its own leaders. The jumbled events of the "Crisis" of the summer of 1931 are probably little more than a dim memory to most people. What Mr. O. Elector learned from the newspapers whilst on his holidays was that the country was on the verge of economic "battle, murder, and sudden death," that the Socialist Government had

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ceased to exist, and that a new "National" Government of ten ministers had been formed—amongst other things to preserve the gold standard—led by Mr. Macdonald. The election of October 1931 sent back this National Government with the enormous and disproportionate majority to which reference has already been made. A new and very patriotic party had come into being, but using in most constituencies all the machinery of the Conservative Party. One did not seem to hear much about a "Council of State"—perhaps this new parliament led by Mr. Macdonald was one! It continued its way down the years, in due course Mr. Baldwin becoming its leader, and, at what was clearly considered to be an opportune moment, was dissolved and a further election held in November of 1935. The National Government was again returned, and with such a majority that only the desertion of many of its supporters in the Commons could cause its downfall.

For some time now the expression "Cabinet Dictatorship" has been used to define the present relation between the Commons and the Cabinet. This suggests a wielding of authority by party leaders who for the time being are ministers of the Crown, an authority which is not derived from below. In practice, the private member can only indicate his wishes by a straightforward "Aye" or "No" in the division lobby. No matter what form a division take, unless he refrain from voting, this is the only choice, and upon it may depend not only the fate of the particular measure under discussion, but also the very existence of the Government.

Remembering that behind the Cabinet is a skilful and experienced Civil Service, let us see how far this "dictatorship" works out in practice. During the

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session the House of Commons meets from Monday to Thursday at 2.45 p.m., and on Friday for a shorter sitting at 11 a.m. The first hour is taken up by Question Time, during which any minister may be bombarded from all sides of the House with questions which have already been submitted and whose answers have been found. It is, of course, traditional that as accurate a reply as possible shall be given, but ministers may demand "notice" of any question, especially supplementary ones which follow the answer to an original question. And in certain circumstances a minister may plead "public interest" as an excuse for withholding information, whilst a rhetorical question will elicit no reply. Question Time is regarded as the opportunity afforded to the House for the control of administration. A glance at the parliamentary pages of such a newspaper as *The Times* will show how these questions range over many topics<sup>1</sup> and many places, and to-day they are assuming a

### <sup>1</sup> THE HOUSE IN "LIGHTER MOOD"

#### *A Question of Figures*

MR. R. BEAUMONT (Portsmouth, Central, U.) asked the President of the Board of Trade if he would state the number of corsets imported into the United Kingdom from the United States of America in each of the last five years.

MR. OLIVER STANLEY.—As the answer involves a number of figures—(laughter and cheers)—I will, with my hon. friend's permission, circulate it in the *Official Report*.

MR. BEAUMONT.—Do these figures show a steady increase? (Renewed laughter.)

MR. STANLEY.—The hon. gentleman will have to judge from the figures. They appear to me to show some increase. (Laughter.)

MR. SANDYS (Norwood, U.).—Is Mr. Stanley aware that what the House really wants to know is whether there has been any appreciable restriction in volume? (Laughter.)

MR. V. ADAMS (Leeds, W., U.).—Cannot the right hon. gentleman give the information in round figures? (Renewed laughter.)

*The Times*, February 16, 1938.

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fresh importance since it is becoming the custom of the B.B.C. to insert in its news bulletins questions and answers on important happenings.

The chief purpose of asking questions is to obtain information, which may be used by the Opposition as a foundation for criticism of the government, and to find weak chinks in the armour of administration. A member, dissatisfied with the reply, will give notice to raise the matter on the adjournment and so try to obtain a discussion on the government's policy. But so long as the theory of Collective Responsibility holds good, that is, that whatever disagreements there may be behind the scenes, the ministers on the Treasury Bench present a united front to the House, it is difficult to censure administration. For this could only be done on a definite division or a vote of no confidence, when normally the members of the majority party would rally to the support of its leaders. There have been cases of a minister's saving the face of a Cabinet by personal resignation. This happened in the December of 1935 when Sir Samuel Hoare, the Foreign Secretary, vacated his office because of the Abyssinian question. It may be recalled that at the meeting of the League Assembly in September of that year, Sir Samuel pledged the country to the support of collective security, and that Great Britain was one of the many nations which in October condemned Italy's aggression in Abyssinia. It was therefore assumed at the time of the General Election of November 1935 that the National Government's foreign policy included adherence to League principles. Great was the general astonishment and great the protests when, a month later, there was produced, in conjunction with M. Laval, the French Foreign Minister,

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the Hoare-Laval Pact for the partition of Abyssinia. The agitation was sufficiently forceful to cause a change at the Foreign Office, but it is questionable if, had Sir Samuel remained, the downfall of the Government would have been brought about by its own supporters within a few weeks of the General Election.

Normally, therefore, control by the House is very limited.<sup>1</sup> Those who ask questions merely to keep their own constituents informed that they are still alive are to be discouraged. For information, it is better to have a written reply; indeed, it is usually far more effective to write to the Minister than to ask a question. To use answers as a basis for party criticism in the House is not very satisfactory, for the simple reason that this does not as a rule lead anywhere.

Let us next consider this criticism of "Dictatorship" with regard to the legislative work of the Commons, taking as an example the stages of a Public General Bill, that is, one which concerns the nation as a whole and whose provisions, when it becomes law, are effectively binding on every citizen. The majority of these Bills are presented by the government, which has at its disposal the knowledge and experience of the parliamentary draughtsmen for the putting of proposals into debatable form. Private members ballot for the right to introduce Bills, and the sittings on Fridays are allotted for their discussion. But because of the immense amount of

<sup>1</sup> There are some who fear that in the realm of foreign policy answers to questions may ultimately cause embarrassment to the Government. It is felt that any extempore answer given to a supplementary question might be injudiciously worded and might result in giving offence abroad. The kind of reply given by any minister depends upon his own personal facility in answering questions. But, in addition, it is a well established right, not abrogated even in time of war, to ask questions on matters of public importance.

work to be done the government usually takes the Fridays after Easter or Whitsun for its own business. Moreover, unless ultimately sponsored by the government, a private member's Bill has little chance of being debated through all stages. A recent exception to this was the "Matrimonial Causes Bill," which received the Royal Assent in the summer of 1937, and which was piloted through the Commons by Mr. A. P. Herbert.

The First Reading of a Bill is to-day a formal one, and the Second Reading is the first important step in the Bill's passage through the Commons. With the Speaker in the Chair and the text of the measure in the possession of each member, the underlying principles are thoroughly debated. It is not seldom that a Bill is read a second time without division; this does not mean that the House is unanimous, but that the Opposition is saving its ammunition for use at the next stage. But if a division take place, the government's majority is normally assured unless there be a revolt of government backbenchers, or the ministry be a "minority" one. Snap divisions—those forced by an Opposition in the hope that there are not sufficient government supporters within reach of the division lobby—are not now important.

Following the Second Reading, though not necessarily immediately, comes the Committee Stage, when the Speaker vacates the Chair, his place being taken by the Chairman of Committees, and the Mace, the symbol of the House's authority, removed from the table. The House is now a Committee of itself, and is known as "Committee of the Whole," and all discussion which takes place is on detail, any reference to the principles underlying the measure being ruled out of order. Members may speak as often as they catch the Chairman's



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eye, and suggestions for amendment may be made to alter the Bill "word by word, line by line, and clause by clause," but, of course, the government of the day is not compelled to accept them. To ease the work of the House, there are six Standing Grand Committees of about sixty members each, which consider Bills in the Committee Stage.

When the Bill emerges from Committee, it is "reported" to the House, and then is read a third time. Unless the measure be peculiarly controversial these two stages are inclined to be both dull and lifeless.

The really important point is that at every stage of the discussion the principles of party division apply, and a government with an adequate majority is bound to have its way, though this is not to say that amendments from the Opposition or from its own supporters are never accepted. On occasion, measures are left to the free vote of the House,<sup>1</sup> that is, the Whips do not exert pressure upon potentially rebellious members of their parties, and the member is left to his own judgment for the fate of the government is not at stake. Such was the case, for example, in the debates on the Revised Prayer Book. Mr. Baldwin had advised, "Trust the bishops," but the House did not follow his advice either in December of 1927 or in June of 1928. Many critics of our present parliamentary institutions feel that this system of the free vote could be extended with great advantage; that issues should be debated on their merits, and that a party member should be permitted to show in the division lobby his disapproval of any specific proposal, without

<sup>1</sup> In February of 1938, the Opposition introduced a Bill to abolish night-baking. This was carried on Second Reading by a majority of 21 (147 to 126), against the wishes of the Home Office.

withdrawing his support from the general programme and without involving the downfall of his government. In 1931 there was the secession of some forty Labour M.P.'s who voted against Mr. Macdonald's Government on the Education Bill. Periodically there should be general debates on policy, based on a motion of confidence, and this would enable the individual to record his support of his party although he may have disapproved of one or other of its measures.

Unfortunately, as has already been mentioned, the House of Commons has a prodigious amount of work to accomplish, and this must be done as speedily as possible. Too much independence of thought and action, it is agreed, would not only weaken party ties but would lead to a greater waste of precious time. Sooner or later a debating chamber is bound to lay down rules to prevent the prolonging of discussion beyond what is considered "necessary." In the case of the House of Commons, this was first done in 1881, when Mr. Brand, the Speaker, deemed the attitude of the Irish members deliberately obstructionist, and without either authority or precedent, but after consultation with Mr. Gladstone, the Prime Minister, "put the question." Since then the rules of the House have been revised on a number of occasions to permit the curtailment of debate by the process known as the "closure." The motion "that the question be now put" can be made at any time during debate, and if accepted by the Speaker (or Chairman of Committees) and carried by the House, the debate comes to an end with the ensuing division. Normally the closure will be moved by the government which feels that no useful purpose can be served in carrying discussion further, and that the time of the

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House is being wasted. Equally normally it will be opposed by the Opposition, and possibly by many private members, who may regard it as an instrument of oppression. It is left to the Speaker to be the guardian of the rights of minorities and of individuals, and it is actually the case that the minority in opposition has a greater share of the House's time than the government, and particularly if it be numerically small.

In certain circumstances debate will be brought to an end on given sections of a Bill, at specified times, a method of procedure known as "Closure by Compartments." Even more effective in ending discussion is the "guillotine," by whose use the whole stage of the Bill is concluded. Conditions of parliamentary work would seem to suggest that there will always be this "pull" between some form of party rigidity and the freedom of the individual member. In his book, Mr. C. R. Attlee says, "I should not like to see Labour a party on the pattern of those which exist in corporate states, where exact obedience and loyalty to a leader stifle free thought and destroy individual initiative."<sup>1</sup> And in his comments on the identification of party and state he says: "Macdonaldism is, in fact, in its philosophy essentially Fascist."<sup>2</sup> These two comments fairly define the situation as it is, not only in the parties themselves but also in the House of Commons.

It is perhaps in the realm of public finance that party counts for more than elsewhere. Much of parliamentary time is given up to money matters, and the individual member, not claiming at first to be an expert, must serve some apprenticeship in the House before he can feel

<sup>1</sup> C. R. Attlee, *The Labour Party in Perspective* (1937), p. 9.

<sup>2</sup> *Ibid.*, p. 60.

himself capable of effective criticism and debate. In these circumstances he is prepared to leave things to his trusted leaders who, with their greater experience and knowledge, and with the expert advice and guidance of Treasury officials, are in a so much better position.

In the state as it has developed and as we know it in these post-war years, there would appear to be two main purposes of taxation. The first harks back to the older conception of the "police state," the need for individual freedom at home and security from possible aggression from abroad. So that money must be found for the machinery of Justice and the Police Forces on the one hand, and for the Armed Forces of the Crown on the other. The second purpose is related to the "Social Service State," which, by provision of all kinds of services, aims at some limitation of the inequality of incomes. Public expenditure has grown enormously, and it is only fitting that the Commons should devote a good deal of its energy to a consideration of finance. In the last pre-war financial year, ending March 31, 1914, the actual receipts into the Exchequer totalled £108,242,897, and the actual expenditure was £197,492,969, leaving a surplus of £749,928.<sup>1</sup> Leaving out of account the exceptional finance of the war years, demands for money have seldom fallen short of £800 million in the post-war period. Table A shows the revenue and expenditure over a period of three years, to include the estimated figures for 1937-38 and for 1938-39.

The Self-balancing Services in and from 1937-38 include only the Post Office and the B.B.C., since, with the taking over by the Government of trunk roads in 1937, the Road Fund ceased to exist, and an amount of

<sup>1</sup> *Statistical Abstract (1937)*, p. 153.

TABLE A

## RECEIPTS

	1935-36	1936-37	1937-38	1938-39 (estimated)
Ordinary Receipts . . . . .	£752,920,144	797,289,194	872,380,000	944,750,000
Self-balancing . . . . .	91,855,000	99,307,000	76,080,000	80,442,000
Total	£844,775,144	896,596,194	948,660,000	1,025,192,000

## EXPENDITURE

	(estimated)	1937-38	1938-39 (estimated)
Ordinary Expenditure . . . . .	862,848,000	872,380,000	944,398,000
Self-balancing . . . . .	75,198,000	76,080,000	80,442,000
Total	938,046,000	948,660,000	1,024,840,000

TABLE B

## EXPENDITURE

	1913-14	1935-36	1936-37	1937-38 (estimated)	1938-39 (estimated)
National Debt . . . . .	£24,500,000	224,000,000	224,000,000	224,000,000	230,000,000
Army . . . . .	£28,346,000	44,647,000	49,321,000	63,703,000	86,041,000
Navy . . . . .	£48,833,000	64,806,000	69,930,000	78,065,000	93,707,000
Air Force . . . . .		27,496,000	39,000,000	56,500,000	73,500,000
Supplementary Estimate . . . . .			20,000,000		
Civil and Revenue Votes . . . . .	£58,384,000	375,051,000	381,158,000	429,080,000	449,058,000

## RECEIPTS

Customs . . . . .	£35,450,000	196,642,000	211,282,000	221,561,000	227,950,000
Excise . . . . .	£39,590,000	106,700,000	109,500,000	113,700,000	116,150,000
Income Tax . . . . .	£43,929,000	238,074,000	257,237,000	297,986,000	341,250,000
Super-tax and Sur-tax . . . . .	£3,320,000	51,020,000	53,540,000	57,060,000	62,000,000
Estate Duties . . . . .	£27,359,000	87,920,000	87,990,000	88,980,000	88,000,000

£34 million from motor vehicle duties, which previously would have appeared as Self-balancing revenue, now appears as part of Ordinary revenue. The total for 1937-38 is exclusive of amounts, estimated at £80 million, to be met from moneys borrowed under the Defence Loans Act of 1937. For the financial year 1938-39, £90 million will similarly be borrowed.

The development of expenditure in the Social Service State is illustrated in the rise of the Civil and Revenue votes from £58 million in 1913-14 to £449 million in 1938-39. Table B compares the revenue from certain taxes and the expenditure on certain services with 1913-14. (It must be remembered that there has been a change in the value of money.)

The two main purposes of taxation already referred to are brought out if one considers, for example, the Defence expenditure in 1913-14 of £77,179,000, and that for 1938-39, £253,248,000 (excluding the £90 million to be borrowed); and the increase of the cost to the Government of, say, Education, from £17,466,094 in 1913-14 to £61,847,000 in 1938-39.<sup>1</sup>

For this expenditure, and for the collection of revenue to meet it, the House of Commons is solely responsible, and for the purpose of control it resolves itself into two Committees of the Whole, known as Supply and Ways and Means. The spending departments begin as early as October to prepare their estimates of expenditure for the forthcoming financial year, and after any necessary discussion between the minister concerned and the Chancellor of the Exchequer (in the case of the Fighting Forces, after Cabinet discussion), they are laid before the

<sup>1</sup> This, of course, is not the total cost of education; it does not include rate-borne expenditure.

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House to be debated in Committee of Supply at irregular intervals during the spring and early summer of each year. A total of twenty days is allowed for this ; at the end of that period all outstanding votes are put to division without discussion, the most noteworthy use of the guillotine. In due course the resolutions, passed in Supply, to spend specified amounts of money on the various services, are made law in the Appropriations Act. Immediately after Easter, usually on the third Tuesday in April, the Chancellor of the Exchequer makes his Budget speech to the House, sitting as the Committee of Ways and Means, and indicates the way in which he proposes to raise the money necessary to meet the estimated expenditure. These resolutions, when finally accepted, are bound up in the Finance Act for the year.

Generally based on the lack of control by the Commons, much criticism has been directed at every aspect of the financial administration of this country. The suggestion is made that the accounts are presented in a way which not only puts them beyond effective criticism, but which also confuses the ordinary member. It is true that the House can and does exert pressure on the Government, as, for example, in 1928, when members compelled the Chancellor to withdraw a proposed tax on kerosene ; and again in 1937, when the conditions of a new National Defence Contribution did not find favour in the eyes of government-supporters, and were modified. It is further true that the Public Accounts Committee<sup>1</sup> scrutinizes some of the nation's expenditure most carefully, but only after the money has been voted and spent. Similarly the function of the Comptroller

<sup>1</sup> It is felt by many that the report of this committee should be more fully and more seriously debated in the House.



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and Auditor General is to be assured of the *legality* of expenditure. But these are not directly related to the House's *control*.

If party discipline were lessened, would this lead, through individual comment, to a better financial system? Probably not, since the real controversy is not so much on method as on purpose, and this latter is definitely related to the individual or party conception of organized society. The division is on how much money shall be spent on the various services and how it shall be raised. Adam Smith's dictum that "Defence is greater than opulence" is still a very powerful factor in modern public finance.

It is true that much of the work of the Commons is done under archaic, complex, and possibly useless, procedure. As one writer puts it, "... while there is no reason why the rules of parliament should not be as clear as those of a popular and well-played game, to have mastered the rules of the House is now in itself a claim to political distinction."<sup>1</sup> This might be changed, but the House of Commons none the less remains as a debating chamber to carry out the expressed will of the people. It is this which gives rise to so much controversy, for many wish to see the House reformed in one direction or another, so that its control be either enlarged or reduced. Is the House as it stands no more than a convenient political instrument for the expression of individualism? If so, and there come a time when the majority of the electors of the nation demand a change in the purpose of the state in the direction of social ownership, will the House of Commons remain the most suitable body for the newer methods of control then

<sup>1</sup> K. B. Smellie, *A Hundred Years of English Government* (1937), p. 378.

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likely to be demanded : The Webbs, in their scheme for a Co-operative Commonwealth of To-morrow did not feel that the House was competent to stand alone as a sovereign legislature, and suggested two assemblies, one political and the other social. They claimed that this dualism would help to avoid parliamentary congestion, and would also be "an essential condition of the progressive substitution, with any approach to completeness, of the community for the private capitalist."<sup>1</sup>

As we shall see later,<sup>2</sup> parties such as the Communist, with a Workers' Soviet Republic as its aim, and Fascist, with its desire for National Corporations, intend, if in power, to change both the structure and the functions of our institutions. And if a change occur no doubt people will continue to ask what exactly Pope meant when he wrote :

"For forms of government let fools contest ;  
Whate'er is best administered is best."

## CHAPTER IV

### THE CABINET

SOME fifty years ago Mr. Gladstone's third Cabinet of 1886 contained fourteen members ; in the re-constituted Cabinet of Mr. Neville Chamberlain of May 1937 there

<sup>1</sup> S. and B. Webb, *A Constitution for the Socialist Commonwealth of Great Britain* (Trade Union ed., 1920), p. III.

<sup>2</sup> *infra*, ch. vi.

were twenty-one. (Actually the increase was eight, since there was a Chief Secretary for Ireland in the former and not in the latter.) This group of chief Ministers of the Crown, holding office at the King's pleasure, is perhaps the most noteworthy feature of British political institutions, at the present time admired by some, regarded with scepticism and doubt by others. From a handful of royal advisers, favourites, courtiers, it has grown through the centuries in numbers and in power, until in modern days it has taken to itself not only most of the authority once wielded by the monarch, but a good deal of parliamentary power as well. As the Social Service State develops and the government "interferes" further in the individual life of the citizen, there is bound to be an increase in the number of Cabinet members, their functions, and the departments for which they are responsible. It is commonly said that Cabinet Ministers have a joint and a several responsibility, that as a body they formulate the policy to be presented from the Treasury bench to the House of Commons, and that as individual ministers they have a political responsibility for the departments of which they are the heads. But not every minister is a departmental chief, and the diversity of government administration is illustrated in the distribution of Cabinet appointments.

The Prime Minister, who is also usually First Lord of the Treasury, but without any specified financial functions, the Lord President of the Council and the Lord Privy Seal are examples of ministers who escape the additional burden of administrative work, and who are freer, therefore, to devote their energies to the wider aspects of policy. There are eight Secretaries of State, each responsible for what might narrowly be called a

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"political" service,<sup>1</sup> and to these may be added the First Lord of the Admiralty. There are six Boards,<sup>2</sup> or Ministries, of an economic and social nature, and to these may be added the Exchequer. The Lord Chancellor as a Cabinet Minister is in the curious position of helping to determine policy and to make laws, and at the same time, as a lawyer, of interpreting them—an age-old anomaly which many people would like to see abolished. It is within the competence of a Prime Minister to determine not only the composition of his own Cabinet, but also to decide which of certain "marginal" posts shall be of Cabinet rank. Thus the Postmaster-General, at the head of the only nationalized service, is sometimes a Cabinet Minister and sometimes not.<sup>3</sup> Further, a Prime Minister can create<sup>4</sup> and dispense with ministerial appointments. In 1935 Mr. Eden was given the title, with Cabinet rank, of Minister for League of Nations Affairs, a new post, which was abolished in the same year.

This brings the total membership of a modern Cabinet to twenty-two, but in addition there is a large number of ministers outside the Cabinet.<sup>5</sup> In all, there are no less than sixty-four ministerial appointments, but of these the members of the Cabinet are clearly the most

<sup>1</sup> The Secretary of State for Scotland may be a partial exception to this.

<sup>2</sup> They do not meet as "Boards"—a legal fiction.

<sup>3</sup> Cf. also Chancellor of Duchy of Lancaster, First Commissioner of Works, etc. Sir Kingsley Wood as Postmaster-General was in Mr. Macdonald's Cabinet, November 1931 to June 1935, but when he went to the Ministry of Health his successor at the Post Office was not given Cabinet rank. In 1938 the Chancellor of the Duchy (Earl Winterton) was brought into the Cabinet, with special Air duties. These special duties ceased a short time afterwards, but the Chancellor remained in the Cabinet.

<sup>4</sup> Cf. the appointment in 1936 of a Ministry for the Co-ordination of Defence.

<sup>5</sup> In the reconstituted Cabinet of 1938 the number was forty-two.

important as a body, "the mainspring of all the mechanism of Government."<sup>1</sup>

Strictly, these ministers receive their appointments from the King, kiss hands, and receive seals of office, and can only be dismissed by him, but in actual political practice the task of Cabinet making belongs to the Prime Minister, possibly with the advice of his more intimate colleagues. It is hardly likely that any king in these days, either on personal or on political grounds, will refuse the appointment of any individual minister.<sup>2</sup> Now the government of the day is normally composed of the leaders of the majority party in the Commons, and in the same way as the choice of Prime Minister is usually fairly clear to the King, the men to fill Cabinet posts are fairly obvious to the Prime Minister. This is not to say that it is an altogether easy task to make appointments, for there has to be borne in mind not only the administrative work of the departments but also the prestige which any given candidate for ministerial honours must possess, with his own party, in the Commons and in the country. In the end it is all summed up in majority party government, and that is why the crisis of 1931 shocked purists in this matter<sup>3</sup>—the emergence of Mr. Macdonald as a Prime Minister without a party. The answer was to be found in the uneasy and unsatisfactory word "Coalition"; the more modern, but inaccurate, term appears to be "National."

There can be no doubt that Cabinet Ministers are a very much overworked body of men. And as the purpose of statecraft is more and more along the lines

<sup>1</sup> *Machinery of Government Report*, Cd. 9,230 (1918), p. 4.

<sup>2</sup> But note that it is only a convention that the King takes the advice of his ministers.

<sup>3</sup> And also, of course, Labour members.

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of some form of communal direction and guidance, until, as many hope and as many more fear, there may come national ownership, the conditions of Cabinet government must inevitably change. We are accustomed to regard Cabinet Ministers as "amateurs"; we do not expect a soldier at the War Office, except perhaps in time of war, a teacher at the Board of Education, or a farmer (or fisherman) at the Ministry of Agriculture and Fisheries.<sup>1</sup> We accept this position of the responsible amateur and view with equanimity the procession of one minister from department to department.<sup>2</sup> There is, it is felt, a skilled Civil Service, and whilst there are those who are uneasy because of the power which a politically irresponsible bureaucracy may exert, there is none the less recognition that the Service is in a high degree efficient and incorruptible.

With the extension of government activities, the validity of the so-called distinction between business and politics is being brought into question. There has always been a vague dislike of mixing the two things, and the phrase which one often hears from politicians and from local councillors also, namely, "speaking as a business man," suggests that they themselves are aware of and accept this, and for the time being are putting aside their political responsibility. But when, during the war, there was a number of non-party business men in the govern-

<sup>1</sup> e.g. Mr. Arthur Henderson was from 1929 to 1931 Foreign Secretary, and by all accounts an excellent one. But would he have been able to enter the Diplomatic Service in the ordinary way?

<sup>2</sup> e.g. Mr. Winston Churchill, who between 1908 and 1929 held posts at the head of the Board of Trade, the Home Office, the Admiralty, the Chancellor of the Duchy of Lancaster, the Ministry of Munitions, the War Office, and the Exchequer. More lately, Sir Samuel Hoare within a period of two years, May 1935 to May 1937, has been at the India Office, Foreign Office, Admiralty, and Home Office.

ment, they were not an unqualified success and did not seem to fit comfortably into political positions. Indeed, Mr. Maynard Keynes said of the Coalition Parliament after the election of 1918, that it consisted of "hard-faced men who looked as if they had done very well out of the war."<sup>1</sup> True, those were exceptional years, and it is more fitting to look to the future and to inquire if the modern British Cabinet is organized and equipped to deal with the problems of social life.

There is an elasticity about British political institutions which enables them to be adapted, with little shock, to new conditions, and this is especially true of the Cabinet. There are certain "conventions" which would seem to determine the existence of the King's ministers—they must all be members of one or other of the Houses, they must be members of the same party or coalition of parties, they must unitedly face Parliament. But in new circumstances revolutionary changes may be brought about, and the war-time period illustrates this very well. Mr. Asquith's Liberal Administration carried on in the early months of the war, but in May of 1915 there came into being the First Coalition Government, with some twenty-five members. At the same time there was a War Committee to deal with the actual conduct of operations. Ministers outside this Committee and taking no part in its deliberations complained that they were none the less responsible for the policy pursued. So that when, after a political struggle between Mr. Asquith and Mr. Lloyd George, the latter became Prime Minister in December of 1916, there was set up a second Coalition, the most important part of which was the War Cabinet, consisting at first of five and later of nine

<sup>1</sup> J. A. Spender, *Great Britain, 1886-1935* (1937), p. 579.

members,<sup>1</sup> of whom only one, Mr. Bonar Law as Chancellor of the Exchequer, had any departmental duties. The Cabinet contained six ministers without portfolio, and among them was General Smuts, who was in no sense a "representative" British statesman. The old Cabinet system disappeared, and was not restored until October 1919, the first post-war Coalition containing only five members. It seems that Mr. Lloyd George seriously considered governing without a Cabinet, and in those early months of 1919 he might have succeeded.

A similar position arose in 1931, for the first National Government, in being from August to October of that year, consisted of only ten members.<sup>2</sup> But it must be pointed out again that a "Coalition of Parties" should imply an agreement between the members of those parties that their leaders should work together in a combined ministry. This must be clearly distinguished from the service which any individual politician, without any backing from the members of his own party, is prepared to render to a government formed from a rival party. In this last sense the war-time Government of Mr. Lloyd George can be considered to be not a true Coalition in so far as Mr. Asquith and those Liberals who were faithful to him were in opposition in the House of Commons.<sup>3</sup> And the same is true of 1931, for most certainly Mr. Macdonald was not supported by the Labour Party in his Coalition of that summer.

The point is that changing circumstances can determine

<sup>1</sup> One Liberal (the Prime Minister), five Conservatives, two Socialists, and General Smuts.

<sup>2</sup> Four Socialists, four Conservatives, and two Liberals.

<sup>3</sup> They comprised the one hundred and five Liberals whom Mr. Lloyd George "eliminated" at the 1918 Coupon Election, a blow from which the Liberal Party never really recovered.



change in Cabinet organization and procedure.<sup>1</sup> The setting up by Mr. Lloyd George of a Cabinet Secretariat came as something of a shock to older statesmen, but it is now become an accepted institution.

As leaders of the victorious party, the Cabinet should compose its differences at its own meetings, usually held weekly on Wednesdays, and more often if thought necessary, and should present to the House a united front, the tradition of Collective Responsibility. But even this may break down, as it did in 1932 when the National Government proposed certain protectionist measures. The free trade members of the Cabinet<sup>2</sup> objected but were encouraged to remain, with permission to speak from the Treasury bench against the proposals—an impossible position which led ultimately to their resignation, an example of the dictatorial weakness of any coalition. It is this normal solidarity of Cabinet organization which gives rise to the fears of Cabinet dictatorship. It is fully realized that the passage of time has delivered into the hands of ministers an ever-increasing amount of power which, it is argued, they can and do use without reference.

So long as the present conditions of party government exist, it is not easy to see how the system can be altered. Greater ease of criticism by private members of both policy and administration does not necessarily effect any change in control. The Haldane Committee on Machinery of Government, set up in 1917, included in

<sup>1</sup> The 1929 Labour Government contained Mr. J. H. Thomas (Lord Privy Seal), Sir Oswald Mosley (Chancellor of the Duchy), and Mr. George Lansbury (Commissioner of Works), specially detailed to work out a policy to deal with unemployment.

<sup>2</sup> They were Viscount Snowden, Sir Herbert Samuel, Sir Archibald Sinclair, and Sir Donald Maclean. The last-named died before his resignation was made effective.

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its report on parliamentary control the suggestion of Standing Committees for each department, to be given full information, and to be able to require the minister and his departmental officers to appear before them.

"But the particular argument in favour of some such system . . . is that . . . the officers of departments would be encouraged to lay more stress upon constructive work in administering the services entrusted to them for the benefit of the community than upon anticipating criticism, which may, in present conditions, often be based upon imperfect knowledge of the facts or the principles at issue."<sup>1</sup>

This paragraph suggests that the so-called "control" of administration at question-time in the House is not only ineffective but that to some extent it prevents departmental officers from carrying out their more positive duties. Fuller information given to the proposed Standing Committees would avoid this.<sup>2</sup> But since presumably the minister would have the real responsibility, and therefore the last word, the usual conditions of party control would prevail in an insistence on the carrying out of the government's policy and in defence of its administration.<sup>3</sup>

The war period and the succeeding years have brought out the adaptability, not only of Cabinet membership, but of the whole organization of the machinery of civil administration. When the need arose a number of new ministries was created, some of a permanent<sup>4</sup> and others

<sup>1</sup> *Report of the Machinery of Government Committee* (1918), Cd. 9,230, p. 15, para. 54.

<sup>2</sup> But departmental officers would have some part of their time taken up in appearing before the Committee, in preparing reports, etc.

<sup>3</sup> The suggestion of Standing Committees has not been adopted. See also the *Liberal Party Programme*, *infra*, p. 108.

<sup>4</sup> e.g. Ministry of Labour, Ministry of Transport, Ministry of Health (to replace the former Local Government Board), Ministry of Pensions.

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of a temporary<sup>1</sup> nature. After 1919 the move was away from state control, a return to pre-war conditions of private enterprise. But in spite of the difficulties of the times and the problems which arose—of ministerial responsibility and of co-ordination of policy—the principle behind that war-time administration is significant, that the government can change the purpose and direction of organized society.

Meanwhile there has been a growth in the numbers of the Civil Service.<sup>2</sup> Though commonly this term is thought of in relation to those who occupy offices in Whitehall, it includes a large number of industrial workers—messengers, porters, etc., and post office operatives. When critics talk of “bureaucracy” they have in mind the administrative and executive grades of the Service, rather than the more routine workers. There can be distinguished at least three important problems—the recruitment into the Service and the distribution of the personnel as between the different grades; the relations of the administrative grade to the politically responsible head of the department; and the co-ordination of work, as between different government departments. Those who have a wholesome fear of ministerial despotism are chiefly concerned with the second of these. The conditions of employment within the Service do not seem to be of great interest to the layman, but they are the rightful concern of the professional associations of the employees themselves. And

<sup>1</sup> e.g. Ministries of Food, Munitions, Shipping, Propaganda, Reconstruction.

<sup>2</sup> 1901, 116,413 (G.F.O. included).

1914, 280,000 (Scotland and Ireland included).

1929, 434,000.

1932, 316,229.

The figures are given in Smellie, *op. cit.*, Appendix iv., p. 455.

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though, to some, the history of the development of the departments reads as a sorrowful tale of friction and ill-adjustment, it is considered that the relations as between departments is just a matter of balanced arrangement to prevent wasteful overlapping and duplication.

The vagaries of political life do not necessarily permit any member of either House to become expert in the administration of a department.<sup>1</sup> Neither is this desirable, for it would only lead to an unhealthy confusion of function. What is felt to be dangerous is the possibility of ill-adjustment between minister and civil servant, so that the latter may have too much authority. To an extent this is a question of personality. It is true that Members of Parliament interest themselves in some special aspect of public work and keep themselves fully informed. They may, of course, serve an apprenticeship for ultimate departmental authority. But although there is no question that civil servants are skilled men and women of high integrity, with the experience of years behind them, yet the very conditions of their employment in the public service may destroy the essential balance between political responsibility and expert advice and guidance.

Moreover, these higher civil servants are in the main drawn from one social class—public school<sup>2</sup> and university education are almost compulsory qualifications. Facing the future honestly, the advent of a government of men and women of what would be thought of as of "lower" social caste, experienced in political life on the opposition bench and in the constituency, but unskilled

<sup>1</sup> But cf. the late Lord Grey, who was at the Foreign Office from December 1905 to December 1916.

<sup>2</sup> The public school is not so important now, but study up to post-graduate standard is necessary for candidates for the examinations.

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in departmental administration, may result in such ill-adjustment with the "highest" caste civil servants as to destroy the possibility of carrying out the very purpose for which they were given a popular mandate. This is, of course, pure speculation.<sup>1</sup> It will be realized, however, that it is also no mere academic issue, since the tendency in the future would seem to be in the direction of further control, and possibly through some form of economic planning to ultimate ownership. And this can only mean a yet greater increase in state departments.

A further factor in post-war development is the increasing power given to the minister by Act of Parliament, power which has led the Lord Chief Justice to comment on it, in relation to the traditions of English law.<sup>2</sup> The power exercised—quite legally—by the minister is in fact wielded by civil servants, and there would appear to be little if any appeal. It is perhaps of greatest importance in the sphere of local government, where local authorities, as agents to an extent of the central government, may be compelled into action, or may even have the dubious satisfaction of seeing their own work done, in default, by some other authority. With the extension of social services such as housing and town planning, slum clearance, road development, this is thought to be a real danger.<sup>3</sup> Lawyers naturally view with misgiving the transference of what they consider to be legal functions from the courts to the administrative tribunals of government departments. Private indi-

<sup>1</sup> We do not change our civil servants with a change of government; they are given security of tenure. It is also unthinkable to the majority of people that they should be "liquidated" as has been done—with great loss—in some other countries.

<sup>2</sup> Lord Hewart, *The New Despotism* (1929). See also W. A. Robson, *Justice and Administrative Law* (1928).

<sup>3</sup> See the chapter on Local Government, *infra*, ch. ix.

viduals are affected as well as local authorities. The essence of the situation as it stands is put in the following words: "The ordinary Law Courts can no longer review the exercise of all forms of public authority, for they are prevented from doing so in many cases by express statutory provisions. Within the limits of these excluded matters law certainly still exists, for the very exclusion is effected by statute, but this law is not administered by the ordinary courts; on the contrary its execution is left to the unfettered discretion of administrative officers or bodies."<sup>1</sup>

Cabinet dictatorship then would appear to imply at least three things: the domination of Parliament by the leaders of the majority party in the Commons; the possible ill-adjustment between ministers and permanent civil servants; and the determination of disputes, not by the courts but by the bureaucracy, leading to the development of a special Administrative Law. In its simplest terms the problem is sometimes thought of as "meddling" versus "efficiency." There are those who, whilst prepared to accept at any rate a measure of authority, desire that external rule and compulsion shall be reduced to a minimum, and that greater freedom be conceded to the individual. They view with abhorrence any extension of state direction and control, and regard these as interference. To them Cabinet dictatorship appears as the power of an omnipotent body of men, ably backed by an irresponsible bureaucracy, whose sole function would seem to be to harass the individual.<sup>2</sup> But there are others who are prepared to pay this price

<sup>1</sup> Sir W. E. Hart and W. O. Hart, *An Introduction to the Law of Local Government and Administration* (1934), pp. 390, 391.

<sup>2</sup> It is interesting to note that many "Left wing" people take this view.

for an efficiency in civil administration, which they feel they can rely upon obtaining from civil servants. To them "democracy" is a pleasant enough sounding word, and if people like to pride themselves on living under this form of government, well, let them, so long as the necessary work is done by the skilled expert, without too much interference from the amateur.

Both of these very narrow conceptions conveniently slide over what is the fundamental principle in such a democracy as ours—that political power derives from the people, and that the very existence of any given Cabinet depends upon the expression through the ballot of the voice of the people.<sup>1</sup> We have seen that Cabinet organization is capable of adjustment for changing needs, and backed by the authoritative voice of the people any government is able to play the despot. But governments are in themselves expressions of the party system, since the leaders of a party in power are charged with the conduct of a certain policy. And this policy is determined by the party for the ultimate approval of the electorate, and indicates the party's attitude to the whole purpose of government. So that the real final responsibility is brought to the individual elector.

Many of the matters suggested for criticism are capable of adjustment—the arrangement of work between departments, or the extension or otherwise of the principle of administrative tribunals as a convenient method of dealing with disputes. But overshadowing these there is the division of opinion upon the very existence and

<sup>1</sup> Cf., for example, Lord Russell in the debate on the People's Budget, 1909, "We live nominally, and your lordships will find we live really, under the control of the democracy of this country, and I think your lordships will find that democracy intends to have the expression of its will obeyed and observed."

## THE PARTY SYSTEM

purpose of the state. Method should depend upon principle, and principle upon philosophy. As far as one can discern any political philosophy in modern days, put in an understandable form for the millions of the electorate, it proceeds from the various parties,<sup>1</sup> whose duty it is to guide and inform the nation so that reasoned decisions may be made at the time of an election. There is therefore a direct link between the ordinary elector and His Majesty's Government, and to this question of party organization we must now turn our attention.

## CHAPTER V

### THE PARTY SYSTEM

POLITICS in this country are commonly thought of in terms of "party," and this is understandable. It is frequently asserted that party politics should be abolished. But what are the alternatives? At one end a loose and incoherent individualism, with elections held on almost purely personal grounds and policies as numerous as the candidates themselves; at the other end the totalitarian state, with the stifling of criticism and the crushing of opposition. The presentation of clear-cut policies not only enables the elector to choose more easily, but at the same time compels him to a recognition of the relation between a candidate and a programme of political action.

There is unfortunately a good deal of confusion of thought in this matter. To some extent this is unavoid-

<sup>1</sup> This is not to ignore the importance of newspaper press, B.B.C., etc.



able since party politics are of necessity a nice mixture of principles, programmes, and personalities. The present elaborate organization of the parties raises such problems as those of their own control by their members, their tactics, and their choice of leaders. If it be a necessity to discover ways and means of perfecting democracy, so that there is a real correspondence between the actions of the Commons and the wishes of the people, it is essential that party machinery should be the servant and not the master of its own members. Else one of the greatest problems concerning democracy in the modern state is duplicated. The possibility of Cabinet dictatorship, deriving from party rigidity and discipline in the Commons, has been discussed; we are concerned to discover if there be similar discipline in the party organization outside parliament.

The ultimate aim of all the parties is to obtain the return to the lower house of as many members as possible, and the constituency and central organizations are ordered for this express purpose to convert by persuasion as many people as they can to their view of the best way to conduct affairs of state, so that they will remain or become effective voters for the "correct" party at the next election.

It is odd to reflect that the convenient beginning of the party system dates from a dynastic quarrel,<sup>1</sup> but there is very little useful comparison to be made between the party government of the eighteenth and a large part

<sup>1</sup> i.e. from the Exclusion Bills of 1679-81, designed to keep from the throne James, Duke of York, brother of Charles II., heir-presumptive and an avowed Roman Catholic. The supporters of the Bills were called Petitioners, and shortly afterwards Whigs; the opponents were named Abhorrrers, and then Tories. The words "Whig" and "Tory" were not newly coined; they had been in previous use.

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of the nineteenth century, and that of modern times. It was not until after the Reform Act of 1832 that party in its accepted sense began, and even so, names were used long before there was any real organization. Conservative and Liberal as political terms were known before 1832, the former being used by Canning as early as 1824, whilst the latter was being given the French meaning of "Libérale" about the same time. Radical, in the meaning of a root, *i.e.* fundamental change, had been more or less common in British politics since 1780.

It was the provisions of the Reform Act for the registration of all voters<sup>1</sup> that caused the Radicals and Conservatives to set up some form of registration office in order to get into closer touch with the electors. This movement of what was really no more than registration societies grew rapidly, but it was not until after the passing of the Reform Act of 1867 that a true national organization came into being. Before this date party politics were in a state of such looseness as can only be regarded with astonishment by those who are accustomed to the more disciplined rigidity of to-day.

"'Politics,' wrote the Radical Parkes in 1838, 'are about as confused as Bottom's dream, which was past the wit of man to say what dream it was.'"<sup>2</sup> The difference in principle between the parties is indicated in Greville's Diary for March 14, 1829: "... that their policy was conservative: that of the Whigs subversive." And again, when J. S. Mill wrote in 1865, "A Liberal is he who looks forward for his principles of government; a Tory looks backward."

<sup>1</sup> At a cost of 1s. per voter in England and Wales, and 2s. per voter in Scotland.

<sup>2</sup> K. B. Smellie, *op. cit.*, p. 51.

Tory Democrats, Constitutionalists, Liberal Conservatives, Liberal Unionists, cross the pages of British political history in the nineteenth century. It is interesting to note that whereas the word "Whig" became something of a reproach, the term "Tory" has never really fallen into disuse. In our own day Coalition, Anti-waste, Prohibitionist, New Party, and the various groups supporting a "National" government are designed as convenient names to appeal to the people. It must be remembered that parliamentary conditions in the middle of the nineteenth century were different from to-day. There was the greater independence of the member, once he was in the House, and a greater freedom to change, so that statesmen could serve their political apprenticeship with one party, and make their reputations in another.<sup>1</sup>

In November of 1867 the National Union of Conservative<sup>2</sup> and Constitutional Associations was formed, and ten years later, in 1877, the National Liberal Federation came into being. In the seventy years which have passed since the first step towards true party organization, these two bodies have adapted their constitutions and their methods to meet the changing conditions of society, and

<sup>1</sup> Cf., for example, Lord Palmerston, Mr. Gladstone, Mr. Joseph Chamberlain, and Lord Lansdowne.

<sup>2</sup> It is interesting to note the effect upon the Conservative Party of the Licensing Bill of 1871, introduced by H. A. Bruce, Home Secretary in Gladstone's first Cabinet (1868-74). The opposition to the measure helped to weld together Conservative interests, and to provide them with money.

Cf. R. C. K. Ensor, *England, 1870-1914* (1936):

"From midsummer 1871 till the dissolution of 1874 nearly every public house in the United Kingdom was an active committee room for the Conservative Party" (p. 21).

"When political 'machines' developed in the eighties, the need for a permanent large income at the headquarters of each party was vastly increased. But for money derived from brewers and distillers it is very doubtful if the Conservatives could have met it" (p. 22).

## THE PARTY SYSTEM

especially to cater for the increased electorate, enlarged by the Franchise Acts of 1884, 1918, and 1928. But throughout the whole period of their existence their main task has been to build up both a national<sup>1</sup> and a local party organization whose chief duty should be to secure the return of members to the House of Commons. Until 1924 the nation was governed by one or the other of these parties or a coalition of them, though of course there were crises and secessions, as, for example, when Home Rule split the Liberals in 1886, and Tariff Reform broke the Conservatives in 1903.

Meanwhile, and especially with the extension of the franchise, there developed a growing discontent with the principles and methods of the two parties. Socialism as a political ideal had been considered, certainly from the time of the post-Napoleonic period and even earlier, but it was not until 1900 that a political organization was erected for the purpose of converting people to the support of its principles. As early as 1857 a Labour candidate<sup>2</sup> stood for the Tower Hamlets constituency,<sup>3</sup> but it was not until 1874 that Labour members<sup>4</sup> were returned.

<sup>1</sup> The present title of "The National Union of Conservative and Unionist Associations" was adopted in 1924.

In 1936 the National Liberal Federation was wound up and merged into a new organization called the "Liberal Party Organization." Reference must be made to the former Nationalist Party of Ireland. Parnell, its first leader, as a young man saw the importance of the Ballot Act, 1872, and the possibility of an Independent Irish Party. The extension of the franchise in 1884 to Ireland, on the same terms as in England, greatly helped towards the electoral success of the party. It was prominent in British politics until 1914, but was succeeded during the war by the Republican Sinn Fein movement. The Irish Free State was formed following the treaty between the British Government and the Irish leaders on December 6, 1921.

<sup>2</sup> George Jacob Holyoake.

<sup>3</sup> Described as the "vastest and dingiest urban constituency." Smellie, *op. cit.*, p. 56.

<sup>4</sup> Two in number: Alexander MacDonald and Thomas Burt.

## THE RESPONSIBLE CITIZEN

By the end of the century there were four organizations working for the promotion of Socialism :

- (a) The Parliamentary Committee of the Trades Union Congress (from 1868).
- (b) The Social Democratic Federation,<sup>1</sup> formed in 1881, advocating violence and non-participation in politics. It was avowedly Marxist in outlook, but did not seem to appeal to English people.
- (c) The Fabians,<sup>2</sup> founded in 1883 for the purpose of moulding socialist thought<sup>3</sup> and to carry on propaganda, especially amongst the middle and upper classes. They planned the gradual undermining of capitalist society, but were neither Marxist nor revolutionary, any more than they formed a "party."
- (d) The Independent Labour Party,<sup>4</sup> established in 1893, with a six-point programme based on the "collective ownership and control of the means of production, distribution, and exchange."

At the invitation of the Parliamentary Committee of the T.U.C. a special conference was held in London in February of 1900, and there emerged from this the Labour Representation Committee,<sup>5</sup> developing after the election of 1906 into the Labour Party, as a distinct political movement.

The position of the four contributory bodies was clear.

<sup>1</sup> Its early leaders were Morris, Burns, Mann, and Hyndman.

<sup>2</sup> The name comes from Quintus Fabius, a Roman general of the third century B.C., whose tactics were to wear down the enemy, avoiding a direct battle.

<sup>3</sup> The pioneer leaders were Sidney Webb, G. B. Shaw, Graham Wallas, Sidney Olivier, and Mrs. Annie Besant.

<sup>4</sup> Led by Keir Hardie.

<sup>5</sup> The Social Democratic Federation withdrew very early.

## THE PARTY SYSTEM

They considered that the great increase in wealth in the country during the last quarter of the nineteenth century was unequally shared, and that poverty, unemployment, and social distress were the necessary and inevitable results of the capitalist organization of society. Whilst recognizing the importance of Parliament in national direction and control, they further considered that parliamentary politics was a battle between representatives of different groups within the same "governing class," and that the extension of the franchise was not a sufficient step on the road to true democracy, unless there were also in existence a party of Social Protest which could put its views before the electors.

Now many members of the two older parties welcomed, though hesitantly, this new force in politics ; at the same time they were not sure that the politics propounded were practicable, or that there were competent leaders who might put these proposals into operation. Representatives of working people were welcomed in Parliament, but not at first understood, and Conservative and Liberal politicians misread the possibilities of the new movement, fixing their gaze only upon the small number of members in the Commons. This new Party was designed to strike at the very roots of society, and was organized for all men and women of "good-will."<sup>1</sup> There was, of course, the question of leadership, and Mr. Keir Hardie appealed to Mr. John Morley, the Liberal, "What is wanted to fuse these elements is a man with the brain to dare, the hand to do, and the heart to inspire. Will you be that man?"<sup>2</sup> On

<sup>1</sup> Cf. Mr. John Burns at the London (1900) Conference was "getting tired of working-class boots, working-class trains, working-class houses, and working-class margarine."

<sup>2</sup> C. W. Pipkin, *The Idea of Social Justice* (1927), p. 105.

April 23, 1901, Mr. Keir Hardie proposed the first fully Socialist resolution in the House of Commons, a complete indictment of the capitalist system. "We are called up to decide whether we will worship God or Mammon."

Though some members of the older parties might take a sympathetic interest in this new Party, it was the acknowledged duty of their leaders to use their party machinery to combat this creed of Socialism. The Conservative with his love of things familiar and his dislike of change for the sake of change; the Liberal with his reformist schemes, but within the framework of the established order; opponents of each other, but deadly opponents together of Socialism. They themselves having been in power would point to their own records, and the stability and prosperity of the established order under their guidance. They would enlarge on the freedom of the people, the extension of the franchise, the status of trade unions, the growth of labour legislation, the development of the social services, the reform of local government, and then settle down to fight amongst themselves over Tariff Reform or Home Rule. And the Socialist swept it all on one side and said in effect, "We have had your governments for generations, and we know what they mean. And we still have poverty and distress. At the moment you are supported by working people because of their own ignorance. But we will teach them wisdom." And the supporters of the older parties could retort, "You ask us to take a leap in the dark, but better the evils we know than those we don't. In any case, Socialism is not practicable."

Like all political parties, the Labour Party has had its ups and downs. From co-operation with the Liberals

## THE PARTY SYSTEM

between 1906 and 1914, it succeeded that party as the official Opposition after the war. It has twice<sup>1</sup> provided His Majesty's Government, "in office, but not in power," as its supporters are keen to point out. No one will deny that an increase in less than a generation from 53<sup>2</sup> to 288<sup>3</sup> members in the House of Commons is a noteworthy development, especially in view of hardships in days before and during the war.

It was to be expected that a movement like the Russian revolution would have its repercussions all over the world. The coming into power of Lenin on November 7, 1917, and after years of civil war, invasion, famine, and disease, the establishment of a new social order based on the teachings of Karl Marx, gave point and direction to left-wing thinkers everywhere. The I.L.P., pursuing as of old its own course, now linked to the Labour Party, now separated from it, seeing some of its erstwhile leaders seceding and others taking their places, has remained firm to its original principles, and could have been regarded after the war as the political party nearest in sympathy with the Russian Communist Party. The I.L.P. inquired in 1920 whether Communism could only be introduced by armed force, and received this reply from the Executive Committee of the Communist International, "The workers should prepare, not for an easy parliamentary victory, but for a victory by a heavy civil war."<sup>4</sup>

And so there came into being a Communist Party of Great Britain, linked with the Third International, its policy being the ultimate establishment of a Soviet

<sup>1</sup> 1924 and 1929-31.

<sup>2</sup> January 1906. Twenty-nine Labour Representation Committee, twenty-four "Lib.-Labs."

<sup>3</sup> May 1929.

<sup>4</sup> H. J. Laski, *Communism* (1927), p. 130.



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Britain. This Party, small in number at present, has to an extent taken the place of the Labour Party at the beginning of the century, and is made to suffer all the odium which that party incurred in its earliest days. So far, it has had two representatives<sup>1</sup> in the Commons at different times, and is concerned to increase its membership, at the same time trying to co-operate with the Labour Party<sup>2</sup> in both local and central government elections.

As developments in Soviet Russia gave hope to some people, so the success of Benito Mussolini after the march on Rome on October 28, 1922, and the ultimate establishment of a Fascist state in Italy, gave cheer to others. There was further encouragement for Fascist supporters when on January 30, 1933, Adolf Hitler became Chancellor of Germany, in his turn to establish a Nazi state in his country.<sup>3</sup> In September 1932 there was formed in Great Britain a new political party, later called the "British Union of Fascists and National Socialists," whose object is to bring into existence a totalitarian state on similar lines to those in Italy and Germany.

There are then six parties,<sup>4</sup> which solicit the support of the electorate, and in this sense they are all both legitimate and "constitutional."<sup>5</sup> Though freedom of

<sup>1</sup> Mr. Saklatvala, formerly M.P. for Battersea North, and Mr. Gallacher, since 1935 M.P. for West Fife.

<sup>2</sup> Resented by that body.

<sup>3</sup> In much less time than Mussolini had taken, Hitler identified the German Republic with the National Socialist Party.

<sup>4</sup> Groups like Liberal National and National Labour can scarcely claim to be "parties" in the orthodox sense. They have little if any machinery. Most contests since October 1931 have been fought for the National Government through the Conservative organization in the constituencies.

<sup>5</sup> Having no written or recorded Constitution, it is a little difficult to be "unconstitutional," though there is a general and rather vague idea of what is and what is not "unconstitutional."

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discussion is "little else than the right to write or say anything which a jury, consisting of twelve shopkeepers, think it expedient should be said or written,"<sup>1</sup> it remains true to say that within certain limits any person may put forward views and offer proposals for change by lawful means in Church or State. In some quarters words like Fascist, Communist, and Socialist are regarded with repugnance; eyes are closed and ears stopped on the convenient principle that if the offensive thing cannot be seen or heard it isn't there! This is neither a helpful nor a wise attitude in politics; it derives from that essential "soundness" of opinion which we have already discussed. As things are, each party has the right to existence,<sup>2</sup> and each is as worthy, or unworthy, depending upon one's own opinions, as the other.

The work of the parties is substantially the same, to "educate" the electorate, to obtain support for their candidates, and to try to obtain a majority in the Commons, so as to form the government of the day. Their complex organizations are busy supplying the needs of the constituencies, not only at the time of general and by-elections, but also in the periods between them. On the platform and in the Press, by socials and whist drives, lectures and leaflets, each party works to retain and encourage the faithful, to persuade the doubter, and to convert the enemy.

It is a commonplace that a distinction must be made between "education" and "propaganda," and all sorts of tricks are permitted to the political lecturer, rightly forbidden to the educationist. To play upon emotions,

<sup>1</sup> A. V. Dicey, *Law of the Constitution* (8th ed.), p. 242.

<sup>2</sup> The Public Order Act, 1936, was designed to preserve the King's peace, and not to crush any political organization.

to create bogies, to throw away reason and appeal to passion, to use all the arts of rhetoric, above all, to be personal though not slanderous in remarks about opponents and their policies, all of these and more are permitted. But the thoughtful student of politics will get all this into its correct perspective, and the ultimate hope for democracy is that the vast majority of the electorate will do that too. The point at issue is well illustrated in an essay by Professor Laski on Sir Robert Peel. "It is not improbable that he was himself the victim of the illusion the debater is able to produce in his hearers, that a point scored in tactic is a truth discovered in argument."<sup>1</sup>

It is all too frequently assumed that every one knows at least the principles of the various political "isms." Perhaps this assumption is truer of the older parties. One may be forgiven for asking, "What is Fascism?" but every one, no matter of what party, ought to know what Conservatism is. But it is to be doubted if the general body of the electorate is conversant with these principles, or can distinguish between them and a definite programme of political action. Further than that, it is essential to recognize how ideas change as the years go on, so that the party of one generation can carry into effect legislation repugnant to members of the same party of a previous generation. Changing conditions of society, fresh problems, different motives, all play their part in determining that party politics are never static.<sup>2</sup> So that age-old principles may easily be altered.<sup>3</sup> No

<sup>1</sup> *The Great Victorians: Robert Peel*, by J. H. Laski, p. 419.

<sup>2</sup> This does not altogether explain how one party will "steal the thunder" of another at an opportune moment—a question of tactic.

<sup>3</sup> *Cf.*, for example, the speech of Lord Hastings in the House of Lords during the debate on the King's Speech, October 26, 1937. Referring to the

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one will feel that there is much in common between the outlook of the early nineteenth century Tory or Whig, and that of the modern Conservative or Liberal. And yet their views of the fundamental organization of society have not really changed, although there has been a change in the functions of government. When in 1894 Sir William Harcourt, referring to the municipal enterprise of the L.C.C., said, "We are all Socialists to-day," he was misusing the term. It is a first duty of each organized party to make clear to the people the meanings of their words so that, for example, Socialism will not be confounded with Social Reformism. And then beyond that, to inform the public of its policy, what it proposes to do, and, just as important, by what method. It is true that the best place to find a short review of any government's work is in the King's Speech at the close of a session of Parliament. And in addition the Royal Speech at the beginning of a session indicates the lines of development for the coming session. But this is of no use for parties out of power except as a target, and, moreover, most people will unfortunately be inclined to receive their views from "popular" journalism.

In brief, it is the task of the organized party to mould public opinion, and this is done through a recognition of the unfortunate gullibility of most people. It is at least open to question if it be true that "You can fool some of the people all the time, and all the people some of

proposals of His Majesty's Government with regard to the unification of coal royalties, he said, "If there was one plank in the platform of the Conservative Party which had stood more firm for a longer period than any other, it was that of fundamental opposition to the nationalization of private property. If that principle were once thrown over and confidence gave way to panic, no private property in Great Britain could be held to be safe." Reported in *The Times*, October 27, 1937.

(4,664)

the time, but you can't fool all the people all the time." An appreciation of principles is in itself scarcely enough; there should be an understanding of policy. But in all fairness, if the nation be satisfied to have the majority of its children leave school at the age of fourteen,<sup>1</sup> it cannot expect its citizens to understand, for example, the working of the Gold Standard, or the "formula" upon which is based the General Exchequer Contribution to local authorities under the Local Government Act of 1929. It may be argued that there is really no need for such detailed knowledge. To some extent this is possibly true, but unfortunately the present alternative is a series of political slogans, reminiscent of the hustings.

The parties do their best; they turn out masses of literature. It has become the custom among certain of them to issue general programmes as well as election manifestos. But it would be interesting to know how many Socialists read *Labour and the New Social Order*, or *Labour and the Nation*; <sup>2</sup> or how many Liberals studied the *Yellow Book*.<sup>3</sup> It is left to professional speakers and to newspapers to expound all these policies. And while the vast mass of the electorate has little opportunity of either study or appreciation, there emerge as leaders men and women who do understand and whose future responsibility may be to put a programme into action. It is so much more comfortable to vote for Mr. —, the "man you can trust," than to bother one's head about the complexities of government.

We therefore get an inter-relation between party

<sup>1</sup> To be raised to fifteen as from 1939, with numerous exceptions.

<sup>2</sup> The official post-war programme of the Labour Party—the former in 1918, the latter in 1928.

<sup>3</sup> More accurately "Britain's Industrial Future" (1928).

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leaders and party slogans. "A Doctor's Mandate"<sup>1</sup> demands unbounded faith in the "doctor." Mr. Ramsay Muir puts it wittily, "Poor Mr. Baldwin, an honest and kindly man, but not by any means a superman, has had to submit to a painful process of inflation, and to see his scarcely leonine head reproduced in gigantic posters on every hoarding in the land, over the inspiring motto 'safety first'; he has had to permit his pipe and his pigs to be used as symbols."<sup>2</sup> It is a pleasant feeling to have complete confidence in a leader, but there is a grave danger here. People are to be permitted to change their views; how else would there be converts to political parties? But when prominent leaders suddenly swing from one party to another, the erstwhile supporters are not unlikely to be bewildered, disappointed, and even irritated at the change of front. The Labour Party will not soon forget the events of the 1931 autumn, when some of its leaders considered that the only way Socialism, as they conceived it, could be brought into operation was through the Conservative Party.<sup>3</sup> It is not easy to define a nice balance between the too great rigidity of a programme and the loose individualism of independence. And the attitude of the ordinary people, putting great trust in their leaders, reminds one irresistibly of the Psalmist's cry, "Lord, I am not high-minded; I have no proud looks. I do not exercise myself in great matters, which are too high for me."<sup>4</sup>

There stand then between the sovereign electorate and

<sup>1</sup> Mr. Macdonald's appeal at the October 1931 Election.

<sup>2</sup> Ramsay Muir, *op. cit.*, pp. 120, 121.

<sup>3</sup> On the same lines, it is considered by many that Mr. Lloyd George dealt a too severe blow to the Liberal Party in December of 1918 by his action in withholding his support from the candidates who favoured Mr. Asquith. See page 77 *supra*.

<sup>4</sup> Psalm 131, verses 1, 2 (Prayer Book version).

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the House of Commons these party machines, whose functions are to organize, to teach, and to work for the return of their candidates. Of historical growth, they are to-day reckoned as part of the normal organization of the State.<sup>1</sup> But it must not be thought that members of a party and supporters of a party at the time of a General Election are exactly the same people. The active, subscribing members in all parties are small in number, the inactive but subscribing members somewhat larger, and together they form but a minority of the total electorate. Herein is the real uncertainty of political life. For the parties may be sure of many, but when their position and appeal are put to the test during an election they must wage a political "campaign" to obtain the support of those millions of individuals of whose opinions no party organizer can be certain.

It has already been pointed out that there are those who dislike party politics and consider they should be abandoned. In the final analysis this would seem to mean the end of free criticism, and in effect the subordination of the weaker to the stronger.<sup>2</sup> Since conflict arises, not only as between parties but within the parties themselves, we should demand of ourselves which is preferable; compromise by agreement or continued obedience to authority. In a world in which individual freedom is being more and more threatened, persuasion through argument must remain as one of the chief ele-

<sup>1</sup> It is significant that as from 1937 the Leader of the Opposition has been paid £2,000 per annum. By Sect. 7 (1) of Part I. of the Ministers of the Crown Act, 1937, this salary is "charged on and payable out of the Consolidated Fund." A motion of censure on a minister may be made in the form of a vote for the reduction of his salary (usually by £100). But the Leader of the Opposition is, by this Act, expressly immune from such criticism.

<sup>2</sup> Not necessarily measured in numbers; possibly in force of authority.

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ments in a democratic creed. The insistent political logic of those who incline to the authoritarian view demands the suppression of opposition, on the ground that if put into operation it would be detrimental to the well-being of the state. Unfortunately there is no standard by which this can be measured, and it is therefore left to an oligarchy without challenge to determine, on a basis of good faith mixed with political expedience, the policy which leads to its own view of national "well-being."

## CHAPTER VI

### THE POLITICAL PARTIES <sup>1</sup>

THE National Union of Conservative and Unionist Associations consists of local Constituency Associations, all other recognized associations and clubs of a permanent character, and various vice-presidents and honorary members. But the effective unit is the local branch, and though such bodies as Provincial Area Councils, the Central Council, the Executive Committee and Annual Conference find their place in a somewhat complicated piece of mechanism, the best political work is done by the local Constituency Association. This is composed of all those who are in agreement with the principles for which the local party stands, and their rights are the usual ones of subscribing members. The amount of the subscription varies from such small sums as three-pence to many guineas. The local branch is autonomous,

<sup>1</sup> Full details of organization are to be found in the written constitutions of all the parties, except that the British Union of Fascists does not issue such a document. I am indebted to the secretaries or organizers of the six parties discussed in this chapter for their courtesy in providing much information. No significance is to be attached to the order in which the parties appear.



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self-supporting,<sup>1</sup> and entirely democratic in character, and it is possible for any one to achieve office, not only locally, but also in the central organization.<sup>2</sup> When the time comes for the selection of a parliamentary candidate, the local executive may interview candidates and make recommendations, but their choice must be ratified by a general meeting.

The principle of democratic control is therefore put into operation as far as the party machine itself is concerned, and clearly those who have political talent and the confidence of their fellows may attain to responsible and directive office. But it is curious to note that in the composition of the annually constituted Central Council, a body elected under some seventeen heads and comprising everybody who is anybody in the Conservative world, it is laid down that of the three delegates from each chief Constituency Association, one must be a "wage-earner." This would seem to imply a distinction between wage-earners and the rest of the community, although the determination of the framers of the constitution that the Conservative Party should not be regarded as mainly a rich man's party, inviting popular support but denying popular control, is fully to be appreciated.

Each year there is held an annual conference, consisting of the council, representatives from the chief constituency associations, agents, and women organizers. At this conference the general achievements of Conservatism, if in power, are reviewed, and the policy for

<sup>1</sup> Money is also raised on a Provincial Area basis so that poorer constituencies can be helped from these funds.

<sup>2</sup> e.g. the chairman of the Central Council and of the Annual Conference in October 1937 was the wife of a carter who had originally joined her local branch, and had attained to these distinctions through election.

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the immediate future, as far as the Party in the country is concerned, is discussed and settled, and matters of organization are dealt with if necessary. No part of the Conservative organization is designed to wield any form of control over parliamentary leaders. These are members of the executive committee, and are therefore in close touch with the Party machine, and as must generally be the case with all parties, the leaders depend to a large extent upon their organization to measure the political temper of the electorate. But the parliamentary leaders would seem to be entirely free from any compulsion to act upon decisions or resolutions of Conservative bodies ; indeed, the Party members do not seek to tie their hands in any way. Pushed to its limits, this might mean the reduction of Party machinery to merely an electoral convenience, and that the Party in Parliament can be regarded as apart from the Party in the country. Good sense and the expediciencies of political life would bridge any such gap were it to exist. Moreover, the local member is in Parliament because of selection by the local party, on the basis of general agreement with Conservative principles. A member may disregard a large number of bodies but he can never afford to ignore his own constituency caucus, an integral part of the Party machinery.

It is not easy to define Conservatism. To say it is "the efficient functioning of the system of private ownership of capital"<sup>1</sup> is, though accurate, vague. It rests, in a sense, upon history, but modern Conservatism demands a facing of facts as they are.<sup>2</sup> In general, the

<sup>1</sup> J. A. Laws and H. L. Peacock, *Political Parties*, p. 13.

<sup>2</sup> Cf. Keith Feiling, *What is Conservatism?* p. 9, "... but I think we should recognize that if Burke were read for practical guidance, it were better

Party stands for established order, the monarchical state, and the parliamentary form of government. It has adapted itself to the collectivism of the Social Service State<sup>1</sup> and carries on the public services built upon those foundations. But Conservatives have to be firmly convinced of the necessity for change, and the one thing they are certain of is that State Ownership would not be to the advantage of the nation. They do not see the need to go beyond state direction in certain fields of economic activity. Further, they do not believe in fixity of political principles and practice, but prefer to deal with problems as and when they arise rather than put forward preconceived ideas of change. But when change they must, they do so on a basis of what they consider justice.<sup>2</sup>

They are supporters of the Established Church,<sup>3</sup> and of the Empire,<sup>4</sup> and pledge their allegiance to the idea of collective security through the League of Nations.<sup>5</sup> The maintenance of the structure of society as it is, going

for us he had not been born, that Queen Anne and Queen Victoria are hardly nearer to us now than Burleigh or Pericles, and that it is senility to sit in corners and spin incantations out of Bolingbroke and Disraeli."

<sup>1</sup> But cf. Feiling, *op. cit.*, p. 17, "As if retrospective and compulsory ransom were social justice, and as if this massed redistribution created and did not rather destroy, individual quality at every stage it traverses." This would seem to mean that social services in themselves are not enough; there must be freedom and opportunity for individual effort.

<sup>2</sup> Cf., for example, the change in the basis of grants-in-aid under the Local Government Act, 1929. It was argued that the former percentage grants were related to expenditure rather than to need. See Cmd. 3,134, pp. 12, 13.

<sup>3</sup> *i.e.* in its establishment.

<sup>4</sup> Colonies are no longer "millstones round our necks."

<sup>5</sup> Events in the spring of 1938 have caused many people to be dubious about this. Cf., for example, the resignation of the Foreign Secretary on 20th February and the occupation of Austria by Germany on 11th March. Questioned in the Commons on his attitude towards Czechoslovakia, the Prime Minister, Mr. Chamberlain, replied: "The obligations of H.M. Government towards Czechoslovakia are those which every member of the League of Nations assumes to all its fellow-members" (March 16, 1938).

## THE POLITICAL PARTIES

forward slowly and delicately, "safety first," a profound faith in the destiny of the British people, "to carry on steadily the improvement of the condition of the people," these aims would seem to sum up their attitude. And they can point to their records over long periods in power as proof of their wisdom. Since 1931 they have expressed their policy through such measures as protection, the means test, experiments in state planning,<sup>1</sup> the Incitement to Disaffection Act, the Public Order Act, the Government of India Act, and, since 1935, rearmament,<sup>2</sup> the raising of the school leaving age to fifteen in 1939, and non-intervention in Spain.

Naturally there are often dissensions<sup>3</sup> within the Party upon some particular point, but probably better than any other party Conservatives know how to close their ranks against a common enemy.<sup>4</sup> Vehemently are they opposed to those who belittle or would destroy parliamentary government, and as vehemently do they denounce those who, within the framework of the parliamentary state, seek to change the economic foundations of society. To the Conservative, an equalitarian state is an impossible and an unjust conception. For they believe that though the state may assure a minimum, it cannot deal with a nebulous "average man." "We are not dealing with one garden city, but with sinners,

<sup>1</sup> e.g. the various Agricultural Marketing Boards.

<sup>2</sup> Cf. the main principles of the National Government as summarized in the "Four Points":

(1) To keep the peace.

(2) To make our country so strong that nobody shall treat her with anything but respect.

<sup>3</sup> Cf. the measure in 1937 for the unification of coal royalties at an agreed cost of £66,450,000, and see *supra*, p. 97, for Lord Hastings' comments.

<sup>4</sup> "The Conservative Party is a bulwark against Socialism."

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drunkards, horse-copers, saints, bankrupts, congenital idiots, geniuses, fire, death, incompetence—in short, with reality.”<sup>1</sup>

Increasing propaganda brings their point of view before supporters and members of the Party. The Party itself numbers between one and a quarter to one and a half million members. Though the local branches are self-supporting, there are in addition amounts of money which come in donations or subscriptions, either for general or special purposes. There is, of course, nothing discreditable in the payment of money for the support of causes, but the Conservative Party, large in membership and with a goodly number of wealthy adherents, may be regarded as more fortunate in this respect than some of the other parties.

The Liberal Party Organization<sup>2</sup> consists of an Assembly and a Council, Area Federations, Constituency Associations, and other recognized units, these last defined as “any organized body of Liberals which is not included within a Constituency Association.” Though the Assembly and Council define general objectives and guide national work, the chief duty, that of securing the return of a Liberal to the Commons, devolves upon the local members of the Party. These are free to select their own candidates, and if in any difficulty, are encouraged to consult Liberal headquarters.

The Assembly, which meets annually and more often if necessary, contains members of both Houses, prospective candidates, representatives from every form of approved Liberal organization, and agents and organizers. Its main

<sup>1</sup> Feiling, *op. cit.*, p. 25.

<sup>2</sup> Successor to the National Liberal Federation.

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work is to review the position of the Party and to consider resolutions on Party policy. Affiliated constituency associations may submit resolutions for the Assembly agenda and amendments to other resolutions. A smaller body, the Council, with its various standing committees, makes itself responsible for propaganda, for the raising of money, and for helping local branches.

Now the Liberal Party has always stood for a measure of individual freedom, and it is to be expected that this will be reflected in their own organization. It is claimed that Liberal M.P.'s are more free of any form of external control than the members of any other party. This does not mean that the Liberal member for any constituency can or does ignore his own constituents. But, possibly in part because the Liberal Party in Parliament is no longer large in numbers, members can discuss matters in the Commons without the fear of Party Whips, and can arrive at their own independent judgments and vote accordingly in the lobbies. At the same time there is democratic control, both throughout the Party machine and as between the local party supporters and the member or candidate. The organization is carried on through individual subscriptions and donations and the affiliation fees of the various local bodies.

The Preamble to the Constitution <sup>1</sup> defines the Liberal objective: "The Liberal Party exists to build a Liberal Commonwealth, in which every citizen shall possess liberty, property, and security, and none shall be enslaved by poverty, ignorance, or unemployment. Its chief care is for the rights and opportunities of the individual, and in all spheres it sets freedom first." And again, "Liberalism means generosity of mind, a readiness to recognize

<sup>1</sup> p. 3.  
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and to uphold the just claims of other nations, other classes and other interests than our own. It stands for persuasion rather than dictation, for discussion rather than force ; and it is only on this basis that fear can be banished and effective co-operation brought about between the nations of an interdependent world, or the diverse classes and interests of an interdependent society.”<sup>1</sup>

Essentially a parliamentary force, Liberalism seeks the security and prosperity of this country and of the world through strenuous opposition to “every form of dictatorship, whether by a privileged class or by an organized party.”<sup>2</sup> But parliamentary democracy means to the Liberal, not merely going on in the old way because it has “worked” in the past, but the reform of institutions so that they shall be competent to carry out, without obstruction, the wishes of the people. Hence policy is practically expressed in the demand for Proportional Representation, the abolition of the House of Lords in its present form,<sup>3</sup> a large measure of devolution<sup>4</sup> and the revision of parliamentary procedure.<sup>5</sup>

Liberals consider it to be the function of the state to enlarge and protect certain conditions of liberty. But they do not challenge the validity of the foundations of the state, for towards the end of the Preamble already mentioned occur the important words: “. . . as a safeguard of independence, the personal ownership of property.”

What is regarded by a leading Liberal<sup>6</sup> as an excellent

<sup>1</sup> *The Liberal Way*, p. 4.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Cf.* the Preamble to the Parliament Act, 1911.

<sup>4</sup> *i.e.* Subordinate Parliaments for Scotland, Wales, and large areas in England.

<sup>5</sup> *e.g.* the introduction of the Committee system in the Commons for the discussion of Bills, and the control of administration. See *supra*, p. 97.

<sup>6</sup> Mr. Ramsay Muir.

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statement of their point of view contains the following demands :

- (1) The establishment of world order and world peace through a strengthened League of Nations, and immediate international inquiries into such matters as access to raw materials and markets, and grievances, real or supposed, arising from the post-war treaties.
- (2) Progressive reduction of artificial trade restrictions.
- (3) Resistance to any attempt to undermine democratic government, coupled with electoral reform.
- (4) The state's responsibility for dealing with unemployment and malnutrition, and immediate action in the distressed areas.
- (5) Measures to spread the possession of property, and so to give workers the "freedom which comes with economic security."<sup>1</sup>

"The Liberal Party cannot allow itself to be identified either with the policy of complete State Socialism to which the Labour Party is committed, or with the Economic Nationalism of the Conservative Party. It is convinced that the policies of both of these parties tend towards class legislation, which is repugnant to the spirit of Liberalism."<sup>2</sup>

Here in essence is the Social Service State, the recognition that the old police functions are not sufficient in the twentieth century, and that there must be purpose in statecraft, direction, and control. But State Ownership is no solution since it merely transfers power to bureau-

<sup>1</sup> *A Westminster Newsletter*, February 1937, p. 4.

<sup>2</sup> *Ibid.*



crats. Liberals want not to suppress private ownership but to enlarge it. "Not 'public ownership' but 'popular ownership.'" <sup>1</sup> Now this point of view is inclined to irritate some supporters of the other two big parties ; for many Conservatives resent this Liberal attitude on the ground that it is really Conservatism, whilst at the same time they are not enamoured of the proposal to "vest the ownership of industry in millions instead of thousands of investors." <sup>2</sup> And various members of the Labour Party feel that this is a deliberate misinterpretation of the term "private property" in its present economic sense, and, in effect, that the Liberals are the same as the Conservatives !

This once great Party has fallen on sad days. There are those who regard it as a nuisance and wish the remaining members would make up their minds as to whether they are Conservatives or Socialists and have done with it. But your true Liberal, tenacious of purpose, demands for himself the freedom he wishes to assure for others, and is convinced that especially in these days a Liberal Party is necessary to combat what he regards as the growing menace of Fascism. For any "ism" which threatens completely to subordinate the individual to authority is anathema to him. <sup>3</sup> Briefly, Liberalism would appear to imply acceptance of present-day society and a demand for reform on its foundations and within its framework.

It is not possible to obtain exact figures of membership, but the last three election results may serve as a guide, though it must be remembered, as has been pointed out,

<sup>1</sup> *The Liberal Way*, p. 60.

<sup>2</sup> *Ibid.*

<sup>3</sup> Though many Liberals are prepared to consider the idea of a "United Front."

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that party members and party supporters at an election are not identical.

ELECTION	SEATS CONTESTED	VOTES OBTAINED	SEATS OBTAINED
1929	512	5,301,127	59
1931	160	2,320,310	72
1935	161	1,443,112	21

At the 1935 election the Liberal Nationals stood separately. In contesting forty-four constituencies they polled 866,624 votes and obtained thirty-three seats.

“The Labour Party’s goal is the Socialist Commonwealth. It is determined to use the resources of our country so as to create a real prosperity in which *all* shall share. Science has placed in our hands the means of attaining this end, but only if finance and trade, industry and agriculture, conform to a national plan under the guidance of the state.”<sup>1</sup>

In the written constitution of the Labour Party the objects are clearly set out: the need to return Labour members,<sup>2</sup> co-operation with trade unions, and also inter-dominion and international co-operation.<sup>3</sup> The general aim is stated: “To secure for the workers by hand or by brain the full fruits of their industry, and the most equitable distribution thereof that may be possible, upon the basis of the common ownership of the means

<sup>1</sup> *Labour’s Immediate Programme* (March 1937).

<sup>2</sup> From 1906 to 1918 the main objective was “to organize and maintain in Parliament and the country a political Labour Party.” It was not until 1918 that the Party declared itself fully for Socialism.

<sup>3</sup> The Party is linked with the Labour and Socialist International, successor to the old Second International. Where the Third (Moscow) International tends to give orders, the Labour Socialist International proffers advice and recommendations.

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of production, distribution and exchange, and the best obtainable system of popular administration and control of each industry or service.”<sup>1</sup>

The Party comprises two classes of members, individual and affiliated. The individual members, not under sixteen years of age, must be members, if eligible, of a trade union, and members also of a constituency Labour Party. Together with affiliated organizations, they must agree to certain conditions of membership, in general the acceptance of constitution, programme, and policy. The affiliated members are trade unions affiliated to the Trades Union Congress or recognized by that body, Co-operative and Socialist Societies, professional organizations, and constituency Labour Parties.

The Party Conference which meets once a year,<sup>2</sup> closely following the annual meeting of the T.U.C., is composed of delegates from affiliated trade unions, from constituency Labour Parties, central Labour Parties, and Trades Councils; and without power to vote unless also delegates, members of the Executive Committee and of the Parliamentary Labour Party and Parliamentary candidates. The Conference decides the Party programme,<sup>3</sup> carrying it on a card vote by a two-thirds majority.

The National Executive Committee is elected under four heads, and includes representatives from trade unions (12), Socialist and kindred societies (1), constituency and central Labour Parties (7), and women members

<sup>1</sup> *Party Constitution and Standing Orders.*

<sup>2</sup> Until and including 1937 this was held between September and October, but because of its being so near the Trades Union Congress meeting it has been decided to hold it at Whitsuntide.

<sup>3</sup> The Manifesto issued on the eve of an election is decided jointly by the National Executive Committee and the Executive Committee of the Parliamentary Labour Party.

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(5), a total of 25. These are elected at the Conference by ballot on a card-vote by the appropriate sections, except that women members are elected by the Conference as a whole. Members of the General Council of the T.U.C. are ineligible.

The Labour Party is the only party which has the backing of so important an organization as the T.U.C., the attempt to combine political and industrial democracy. Though there are those who claim that in the only coherent analysis of modern trade unionism it is impossible for a trade unionist to be other than a Socialist, there are others who resent the implication, and argue that membership of a trade union should not carry with it political action through any party; that trade unionists might belong to other parties. The Labour Party, however, stands for an overthrow of capitalism, and considers that trade unionism is no longer merely an instrument for collective bargaining. By its development during the nineteenth and twentieth centuries, trade unionism has now reached a stage at which it must challenge the validity of a society it formerly accepted.

But even within the Party itself there are those who dislike the influence of the "industrials," and they point to the weighting of the National Executive Committee<sup>1</sup> in their favour and to the double representation which the unions obtain if their members are also members of local Labour parties.

Close co-operation between the various bodies is maintained at all points, and the National Council of Labour brings together the Party, the T.U.C., and the Parlia-

<sup>1</sup> Trade union representatives, 12; constituency parties, 7 (increased from 5 in 1937). But it must be remembered that the trade unions were the most considerable force in bringing into existence the Political Labour Party, and also that they contribute most of the funds.

mentary Party in an organization "intricate but effective."<sup>1</sup> Most highly organized of all the parties, the Labour Party is also the one most subject to discipline and to dissension. Prospective aspirants for parliamentary honours, though locally chosen, and their expenses locally guaranteed, must nevertheless have their candidature endorsed by the National Executive Committee, and in the case of a by-election<sup>2</sup> must submit their election address to this body.

It is a trite saying that there are as many socialisms as there are socialists. What is more important from the Party's point of view is the disagreement over method and rate of progress. There is the clash between supporters of "Socialism in our time" and upholders of the "inevitability of gradualness"; whilst disagreement on method has resulted in the separation of the I.L.P., the disowning of the Socialist League, the constant refusal of the Communist Party's application for affiliation, and the rejection of a "United Front" as a means for combating Fascism.

It is a little difficult to follow exactly how decisions are arrived at in the Conference. The delegate representation and the card vote<sup>3</sup> are the peculiar contributions of the Labour Party to political organization. There is a good deal of uncertainty as to the fate of resolutions, since it is apparently usual to leave a fairly wide reserve of discretion to delegates. But if for certain resolutions these delegates have already received a mandate from

<sup>1</sup> K. B. Smellie, *op. cit.*, p. 357. The distribution of representatives is 8 from the T.U.C., 4 from the National Executive, and 4 from the Parliamentary Party.

<sup>2</sup> *i.e.* when no Manifesto for a General Election can be issued.

<sup>3</sup> The "card vote" allows one voting card for every 1,000 (or part) paid-up members.

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those they represent <sup>1</sup> there can be no purpose served in the making of speeches, since the result of a division must be predetermined.

The Labour Party aims to become not only a party of "social protest" but also one of such popular appeal that it will embrace people from all "classes." Fundamentally it demands an end of capitalism, but desires this to be brought about through parliamentary representation; and it will, if in absolute power, use such constitutional instruments as lie to its hands and make such needful reforms as will enable it to overcome any opposition which may arise because of its far-reaching schemes. The Party's immediate programme includes some form of national ownership or public control of the Bank of England, the land, transport undertakings, and coal and power concerns. The Party <sup>2</sup> supported rearmament for the purpose of making effective the ideal of collective security. "It is irreconcilably opposed to dictatorship by any individual or group."<sup>3</sup>

The fee payable by the individual member is determined by the local Labour Party rules. But each Constituency Party <sup>4</sup> and every affiliated organization must pay a fee <sup>5</sup> per member to the National Party. The financial figures for the year ending December 31, 1936, were <sup>6</sup> :

Trade Union Contributions . . . . .	£32,674
Constituency Parties . . . . .	5,958
Royal Arsenal Co-op. Society . . . . .	600
Socialist Societies . . . . .	152

<sup>1</sup> This throws responsibility back on to the eager people in constituency or trade union.

<sup>2</sup> After a revolt in the Parliamentary Party, 1937.

<sup>3</sup> *Labour's Immediate Programme.*

<sup>4</sup> Subject to a minimum of £3.

<sup>5</sup> 4½d.  
<sup>6</sup> *Report of the Thirty-seventh Annual Conference of the Labour Party* (1937), p. 29.

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The membership of the Party at the end of 1936 was <sup>1</sup> :

Individual Membership :			
Men	.	.	250,761
Women	.	.	179,933
		Total	430,694
Trade Unions (73)	.	.	1,968,538
Socialist and Co-op. Societies (9)	.	.	45,125
		Total	2,013,663

These figures can be compared with those issued by the T.U.C.<sup>2</sup> for the same year :

Number of Societies represented	.	.	214
Number of Members represented	.	.	4,008,647

The Independent Labour Party defines itself as "An organization of Socialists whose objective is the establishment of a Socialist Commonwealth."

"The Socialist Commonwealth is a classless society in which all economic resources are communally owned and controlled, the power to live by rent, interest, and profit is ended, all forms of monarchical or hereditary government will be abolished, and all perform work of social value according to their ability and share in the common resources according to their need and in which the willingness to perform work of social value is the basis of citizenship."<sup>3</sup>

<sup>1</sup> Report of the Thirty-seventh Annual Conference of the Labour Party (1937), p. 31.

<sup>2</sup> T.U.C. Sixty-ninth Annual Report (1937), pp. 5, 51.

Note.—The Twenty-second Abstract of Labour Statistics (1937), p. 139, gives the number of all unions at the end of 1935 as 1,042, with a membership of 4,842,021. The unions affiliated to the T.U.C. at that date were 214, with a membership of 3,614,551. The Statistical Abstract (1937) records 89 employers' associations registered as trade unions.

<sup>3</sup> Constitution and Rules of the Independent Labour Party (1936).

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The method of the I.L.P. is parliamentary in the sense that it believes in electoral activity to obtain power, both national and local. It desires the unification of working-class movements, a rejection of any form of collaboration, either political or industrial, with the capitalist class, and a disowning of merely reformist schemes. The Party, however, feels that electoral activity is only "one aspect of the general struggle,"<sup>1</sup> and that in the event of electoral success its opponents would resort to some form of dictatorship. The workers must therefore consider the possibility of this opposition and must prepare themselves to meet and overcome it "by the use of their mass strength for the capture of power."<sup>2</sup>

The aims of the Party can be described as remote and immediate. Once the working-class is in power, there will be put into operation a plan of Socialism, to include :

- (1) The redistribution of the national income on the basis of economic equality.
- (2) The socialization of the vital economic resources of the country.
- (3) The organization of exports and imports under national ownership and control.

But until that time comes the I.L.P. will concern itself in opposition to any and every attempt to reduce the social condition of the working people, and will make positive demands for such measures as increased wages, less hours, holidays with pay, adequate housing, and better maintenance for the unemployed. The Party states a belief in the need for World Socialism, and is prepared actively to support any fight against Capitalism.

<sup>1</sup> *Constitution and Rules of the Independent Labour Party* (1936).

<sup>2</sup> *Ibid.*



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"It regards the U.S.S.R. as the first workers' State."<sup>1</sup> It is opposed to imperialist war, and therefore re-armament, and considers that peace can only be obtained with world-wide Socialism.

Membership of the Party is open to all Socialists who accept the Constitution. They must not be members of any other political party, and it is expected of them that they shall not be passive but as active, both financially and personally, as possible. The members are grouped into locally autonomous branches, and these are further arranged in Federations. An even larger area, a Division,<sup>2</sup> comprises branches and federations within that area, and is controlled by a Council with power to make rules and generally to carry out activities, and to summon an Annual Conference.

The National Administrative Council consists of the chairman of the Party, the treasurer, four members elected<sup>3</sup> by the Annual Conference, one member elected<sup>4</sup> by each divisional area, and one representative from the Guild of Youth.<sup>5</sup> The word "administrative" must be stressed; the Council, which is the executive organ, is dependent upon Party decisions reached at its Annual Conference. Amongst its manifold duties are included the power to determine Parliamentary candidature and to raise and disburse money.

The final authority is the Annual Conference, which meets at Easter. Branches send one representative for every thirty-five members. An important feature is the

<sup>1</sup> But note especially their letter of March 1938 to M. Stalin protesting against judicial killings.

<sup>2</sup> There are nine of these.

<sup>3</sup> Using the Second Ballot.

<sup>4</sup> By branch members at a meeting called for the purpose, and using the method of transferable or alternative vote.

<sup>5</sup> From the Guild National Committee.

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preliminary discussion by both branches and divisional conferences of the "Basic Resolutions" prepared by the National Administrative Council. In addition, each divisional conference may submit not more than three resolutions, again open to amendment by branches. Further to ensure the reality of democracy within the Party, members of the National Administrative Council and officials of the divisional councils attend the conference and are permitted to speak, but not to vote. This applies also to I.L.P. members of Parliament unless they are delegates.

The Party controls the selection of Parliamentary candidates. These may be locally chosen and must be approved by all the branches in the constituency ; but they must also receive the sanction of the Divisional Council and the endorsement of the National Administrative Council. For municipal candidature the approval of the Federation is necessary.

It is not easy objectively to assess the exact position in modern political life of the I.L.P. It is older than the very much larger Labour Party ; indeed, it is in part its parent. I.L.P. members are in general more impatient of, and dissatisfied with, present conditions, and this exasperation has caused them to sever connection with the Labour Party. At the same time they are not Communists, although they recognize the U.S.S.R. and have many points in common with the Communist Party. Since the fulfilment of Nazi power in Germany they have sought an alliance of all "left-wing" bodies, to prepare a common programme and to unify working-class activities. Some<sup>1</sup> would consider them rather a

<sup>1</sup> i.e. presumably Labour supporters, since members of any other parties legitimately regard all their political opponents as a nuisance.

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nuisance, the tail trying to wag the dog ; they themselves would probably regard their movement as the spearhead of the attack upon existing institutions, the storm troopers, as it were.

The Party is not large in membership, from 10,000 to 12,000, and consequently is not very well off financially. It obtains its income from affiliation fees from individual members, from percentage contributions from members according to their incomes, from quota contributions from branches, and from special donations.

From the parliamentary standpoint the Party cannot hope to have more than a minimum of members in the House of Commons. This means that I.L.P. members in constituencies where there is no candidate from their own Party are called upon to make a choice as between candidates of other parties.<sup>1</sup> Demanding as it does, constant watch and action, and preparing, through the Guild of Youth, the next generation, the Party might justly be regarded as a virile propagandist body as well as an active political force.

The Communist Party of Great Britain, British Section of the Communist International, "takes as its guiding principle the conception of Marx, brilliantly brought to fruition in Soviet Russia, that the organized working-class is the only force with the ability and the will necessary to end capitalist rule and establish the new socialist society."<sup>2</sup>

The Party bases its existence on the necessity to convert the majority of working people to a class-conscious and

<sup>1</sup> In the November 1935 Election the I.L.P. polled 139,517 votes and secured the return of four members to Parliament.

<sup>2</sup> R. W. Robson, *The Communist Party*, p. 3.

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revolutionary outlook. It adheres to the Marxian conception and consequent indictment of capitalist economy, and insists that the vast mass of the people are exploited for profit by a privileged few. Its members are called upon to be proud of their membership and so to be inspired by it that they will be active for their cause in every available field, "agitating, explaining, and organizing for improved conditions."<sup>1</sup> In the trade unions, in national and local politics, the Communist Party aims to play its part in accordance with its own conceptions.

It is the proposed method of achievement rather than the ultimate aim of the Communist Party which excites so much criticism and opposition. Whereas the Labour Party believes in the use of the Parliamentary machine for the accomplishment of its purpose of Socialism, Communists insist that it is not possible to end capitalism through a majority in the House of Commons: that there is no peaceful way to Socialism. "The capitalist class," they argue, "will never allow itself to be gradually expropriated by successive Acts of Parliament."<sup>2</sup>

The Party stresses the fate of left-wing supporters in the Fascist countries to urge its point of view. And so asserts that only through a workers' revolution can its purpose be achieved; defining revolution as a "continuous process" and not just a spontaneous act, and not denying that the overthrow of the capitalist class must be a forceful one. This is both unavoidable and necessary; violence will be forced upon the workers by their opponents. But Communists argue that their advocacy of the use of force is justified in that as a result there will be opened "the way to a new epoch of

<sup>1</sup> R. W. Robson, *The Communist Party*, p. 9.

<sup>2</sup> *For Soviet Britain*, p. 4.

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human progress better than anything the world has yet experienced,"<sup>1</sup> whereas the capitalists' use of violence is to "destroy human civilization."<sup>2</sup>

Communists realize that much depends on the attitude and ultimate action of the armed forces. But they believe that these are fundamentally "workers in uniform," and that if the working classes were solidly united there could only be one answer to the question, "What will the armed forces of the Crown do?"<sup>3</sup>

After the overthrow of capitalism and the capture of the state and the whole machinery of government, there comes into being the dictatorship of the proletariat. Workers' Councils<sup>4</sup> will replace all that has been destroyed; this, it is claimed, is not a denial of present-day democracy, since Communists believe that democracy has never really existed in this country, and certainly has not expressed itself through the parliamentary system. Their argument is that there can be no real democracy whilst there is economic inequality based on servitude and a resultant division of the community into employer and employee, master and servant.

Taking over, without compensation, the banks, the big factories, the mines, transport undertakings, etc., the British Soviets will provide work and wages and abolish unemployment. The Party has a full programme for the communal reorganization of all forms of industry, of commerce and agriculture, and of all the social services. This programme is all-embracing, and accepts

<sup>1</sup> *For Soviet Britain*, p. 7.

<sup>2</sup> *Ibid.*

<sup>3</sup> But mark well the Incitement to Disaffection Act.

<sup>4</sup> For industrial as well as national and local government Communism sets great store by the "Soviet system," based mainly on occupational representation. It is considered that this type of control is peculiarly adaptable for the period of the dictatorship of the proletariat, but it is a debatable point.

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the inclusion and protection of the "petty bourgeoisie" <sup>1</sup> who are not regarded as big capitalists, the admission of trade unions and co-operative societies as part of the normal economy of the State, extended education and complete toleration of religious opinion. The ultimate aim is the establishment of a classless society and of world-socialism.<sup>2</sup> And Communists feel deeply that the policies, internal and external, of the Fascist governments have dotted the "i's" and crossed the "t's" of their own faith, so that they regard themselves, organized as a Party, as the general staff of the army for the attack on the foundations of present-day society.

The Communist Party consists of 12,500 members, who accept the statutes of the Communist International and of the Party and pay a contribution of 3d. per week.<sup>3</sup> The members are grouped <sup>4</sup> as conveniently as possible in order to be able to meet for weekly discussions. They are further grouped into branches in any given town or area, and the country as a whole is divided into ten districts, comprising the branches in those areas. These branches elect at an annual district congress the District Committee. As with other parties, the highest authority is the Party Congress, elected at specially summoned District Congresses, and working administratively through a Central Committee. Full discussion of tactics, method, and policy is allowed, and sincere and thoughtful opposition is not condemned off-hand. "Party discipline" means the loyal acceptance of policy

<sup>1</sup> e.g. small shopkeepers and traders.

<sup>2</sup> But a more immediate aim is to establish Socialism in Britain without waiting for world revolution.

<sup>3</sup> A reduction to 1d. for unemployed workers. The contribution in the last week of each quarter, i.e. 1s. per year, goes to the Communist International.

<sup>4</sup> These would be "cells" in any given industry.

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arrived at by majority decisions, and of the decisions of leading committees of the Party which are in furtherance of this policy.”<sup>1</sup> The Party is therefore democratic in its organization.<sup>2</sup> And it claims that it neither accepts “Moscow gold” nor does it take “orders” from the Third International, but that it is trying to carry out in its own way what is, after all, an international policy.

As with Fascism, the British experience of Communism is vicarious. To many people events in Russia are both disturbing and disheartening, and seem to give grounds for misgiving. Liquidations and purges, the stifling of opposition,<sup>3</sup> do not appeal to large numbers of people in this country. They cannot link up, for example, the idea of religion as “the opiate of the people” with toleration.<sup>4</sup> But most of all, they shrink from violence. It may be that, through the Press, they hear more of this side of things in Russia than of positive construction there.

Moreover, they are afraid of the ambitious programme. “Have you,” they ask of the Communists, “the skilled and experienced men and women who can take over such important posts of responsibility as would need filling if your revolution were successful?” And the Communists, whilst maintaining that they *could* perform the work, retort, “Is there any person or body of persons who can bolster up a declining capitalism, and prevent it from tottering to its fall?”

Knowing that its attitude must be one of tremendous

<sup>1</sup> R. W. Robson, *op. cit.*, p. 13.

<sup>2</sup> But election from branch to Party Congress is indirect.

<sup>3</sup> Cf. the New Constitution in U.S.S.R. (1937).

<sup>4</sup> But Communists are only opposed to religion when its teachings are “prostituted” for the benefit of the governing class. The Party claims not to be antagonistic to religion as such.

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adventure, the Party demands the utmost from its members. "The Party must attract the best and most courageous working men and women to its policy. It must be devoted to one cause alone, the cause of the workers. It must be disciplined and united, experienced and educated in politics. This is the Communist conception of the Party."<sup>1</sup>

The British Union of Fascists and National Socialists, the youngest of British political organizations, regards itself as a "movement" rather than a party. It publishes no written constitution because the Movement is authoritarian and based on the "leadership principle," responsibility being arranged from the top downwards. The leader appoints local leaders, who themselves may make further appointments. The services of area and district inspectors enable the National Headquarters to keep closely in touch with local districts (coincident with parliamentary constituencies), and to control and encourage supporters. Individual members belong to one of three divisions, according to the amount of active political effort they can offer. The leadership principle would seem to mean that individuals in authority are made personally responsible, but that the ordinary member has no voting rights. Even so, it is claimed that, with the flexibility insisted upon, any local leader who did not *consult* members would soon be removed.

The Movement admits frankly that it is "revolutionary," and it is clearly experimenting along different lines from any other party. Fascists<sup>2</sup> feel that by stress-

<sup>1</sup> R. W. Robson, *op. cit.*, p. 14. It is to be remarked that the Party makes an appeal to members of the "middle-class" to consider their own position.

<sup>2</sup> Strictly "Fascists and National Socialists," but "Fascist" is more generally known and accepted.



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ing the personal relation in politics they can obtain both co-operation and some measure of perfection in political organization ; but to them the " personal relation " here means unbounded faith in the leader, who, in consultation with experts, determines policy, and who, after discussion with local members, selects prospective candidates for parliament.

No figures of membership are published, but some 500 local organizations exist. The Fascists assert that their members are probably more politically alert than supporters of either the Conservative or Labour Party, and that the Movement is as effective in political propaganda as any of the older parties. They also claim that their supporters know their policy rather better than the members of the democratic parties know theirs, and this because the Fascist programme is authoritative and clear cut. Training classes for speakers are held in all districts and discussion is invited, but fundamental principles must not be challenged.

Since the watchword of the Movement is " Britain First," while at the same time there is the intention to develop a self-contained Empire, Fascism can be said to be both nationalist and imperialist. Exasperated with what they consider to be parliamentary obstruction, Fascists desire the replacement of the present system in society by the Corporate State—" National Corporations controlled by representatives of employers, workers, and consumers operating under Fascist Government, elected by the whole nation and responsible for securing a fair division of the proceeds of expanded industry." <sup>1</sup>

In this scheme of things, Parliament as we know it

<sup>1</sup> *Ten Points of Fascist Policy.*

## THE POLITICAL PARTIES

would cease to exist, and the House of Commons,<sup>1</sup> elected on an occupational franchise, would indeed be a body for "registering the edicts of the Cabinet." The Cabinet itself, supreme in power, would be small in number, and would be divorced from parliamentary representation, although ministers would be permitted to address both Houses. Measures in Parliament would be debated on their merits, and the present party system would be abolished or would wither away. At periods of five years the Fascist Government would "go to the country," but since there would be neither opposition candidates nor opposition propaganda, presumably the result could easily be forecast.

Through the instrument of the Corporations in each industry and service, a larger home market would be produced, and employment would increase. In agriculture, for example, the Fascists claim that if in power they would increase home production by some £200 million per annum, and find employment for nearly a million people on the land.<sup>2</sup> Further towards this goal of removing impoverishment, the Fascists aim at a self-contained Empire, but it is perhaps difficult to see how a Fascist Government in Britain can determine the economic policy of the self-governing Dominions.

<sup>1</sup> The House of Lords would be replaced by a Chamber of Notables, appointed, as a reward for service, by the Crown for life, but still to include law lords and spiritual peers.

<sup>2</sup> The numbers on a day in June 1936 of workers on holdings of over one acre for Great Britain were :

### Regular workers :

Males, under twenty-one	. . . . .	120,586
Males, over twenty-one	. . . . .	461,243
Females	. . . . .	61,031
Casual workers, all classes	. . . . .	108,330
		<hr/>
		Total 751,190

*Twenty-second Abstract of Labour Statistics, 1937.*

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Here then is a dictatorship which "will replace the present tyranny of the great vested interests who are elected by none and responsible to none."<sup>1</sup> As far as British people are concerned, their experience of dictatorship of this nature is confined to observation of events on the European continent. It does not immediately follow that a British Fascist State would be similar at all points to the Italian or German one. But the fundamentals are the same,<sup>2</sup> and this gives rise to a good deal of anxiety amongst those who still feel that democratic institutions should be preserved. They do not want the House of Commons to be reduced to the impotence of the German Reichstag.<sup>3</sup> When they read that the Fascist Movement is opposed to Jewish finance, they fear the possibility of a racial persecution which may approach in intensity a veritable pogrom. Religious toleration, they argue, may be a Fascist ideal, but it does not seem to have worked well in Germany.

Moreover, the ultimate suppression of all opposition and the taking away of a much-prized privilege, "to grouse," is viewed with concern. The record, internal and external, of the two most important Fascist states is not calculated to soothe this disquiet.<sup>4</sup> In foreign affairs the Movement demands a strongly armed Britain, hoping ultimately for a League of Fascist States, if and when both Britain and France go Fascist. It is not, how-

<sup>1</sup> *Ten Points of Fascist Policy.*

<sup>2</sup> It should be noted that there is a difference in the totalitarian organization as between Italy and Germany.

<sup>3</sup> Which meets once a year, on 30th January, the anniversary of Hitler's coming into power. In 1938 it met on 20th February, and again on 18th March.

<sup>4</sup> It is only natural that trade unionists especially should feel a hostility to Fascism. The present situation in Germany and Italy of the trade-union movement is not calculated to comfort them.

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ever, clear what must happen if "essential British interests" are threatened by other Fascist nations.<sup>1</sup>

In the last few years Fascism abroad has expressed itself through "power politics," based on threats and backed by armed force. There has been a swing away from the rule of law, and the increasing claim of Fascist states to be judge and jury in their own cause. Many people in Britain feel that this policy leads neither to security nor to peace.

The Fascist Movement differs from all other parties in this country in the basing of its organization on the "leadership principle." The leader is named, and the policy is acclaimed as his policy, and an appeal is made to the electorate to help him to "Build a Greater Britain."<sup>2</sup> It is, therefore, to an extent, a bid for personal power.

Here then are the six<sup>3</sup> political parties, and it will be observed that five of them are democratically based on power deriving from below. The exception is the Fascist Movement. The exact organization may not seem a matter of great moment as long as there is efficiency. But many people consider that efficiency itself depends upon the type of organization. Perhaps more important than a paper constitution and programme is the "organizer," the man or woman who with energy and enthusiasm can make the best use of party machinery and so carry the political gospel to the

<sup>1</sup> e.g. the Italian claim to dominate the Mediterranean and the possible official German demand for the restoration of colonies. How would the latter be met within the framework of a "Self-contained Empire"?

<sup>2</sup> *Ten Points of Fascist Policy.*

<sup>3</sup> In a book of this size it is not possible to discuss in detail the Co-operative Movement as a political force; it is usually allied with Labour. The Social Credit Scheme is a "cult" rather than a party, though the experience in Alberta of a provincial government under that name should be noted. Similarly, the Council of Action and the Council for Civil Liberty are in no sense political "parties."

four corners of the country. Here enters the immeasurable human factor, and all parties must wish devoutly for the heaven-sent administrator.<sup>1</sup>

Within the limits already described, parties are free to canvass and electors to choose. No one supposes that the choice is an easy one, though it may be suggested that it is easier to support the "sureness" of Conservatism than to demand the uncertainty of, say, Socialism. How far any elector's political outlook is determined by knowledge or heredity, coloured by propaganda, moved by compassion, or excited by the spirit of adventure, it is impossible to say.

The relationship between the parties and the House of Commons varies in intensity as between the parties. Conservative and Liberal members are not so much "tied" as would appear to be the case with Labour members.<sup>2</sup> But it must be remembered that no party can really control a member of the Commons,<sup>3</sup> who is free to speak and vote as he pleases, but any revolt from party must be weighed against financial freedom and constituency popularity.

Two other points should be mentioned. All the parties have "Youth"<sup>4</sup> movements; organizations designed to attract those who are not yet of voting age. This, in modern times, is an important political feature. And all parties either have the support of a daily news-

<sup>1</sup> Cf., for example, Sir John Gorst of the Conservative Central Office, 1870, and Mr. Schnadhorst of the National Liberal Federation, 1877.

<sup>2</sup> Note how there is election by the Parliamentary Labour Party to the Front Opposition bench, but when in power the Treasury bench is composed technically of the King's ministers.

<sup>3</sup> No form of "control" can apply to the House of Lords, since membership of that chamber is independent of constituency approval. A Lord of Parliament could, of course, resign from, or be expelled from, a political party, but this could not affect his position as a legislator.

<sup>4</sup> Cf. the Youth Movement in Germany, Italy, and Russia.

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paper<sup>1</sup> or themselves produce one. Journalism is a powerful weapon for attack and defence, and a whole host of questions arise because of this. What, for example, is the exact relation between advertisements and circulation? Does Mr. A read his paper because he belongs to the party; or does he support the party because he reads the paper? What part is played by the "magazine" content of the paper in determining circulation? And most important of all, what is the exact purpose of journalism? It would appear to be the presentation of news in a palatable form for a tired and uninstructed multitude; a very powerful ally for the political parties.<sup>2</sup>

And having so briefly reviewed these parties and their programmes, what meaning should be sought for democracy? An ordered community in which the idea of the state is not so exalted that human beings are reduced to mere units, but in which individualism is not so sanctified as to permit men and women to behave in anti-social fashion. To go forward, though not so fast as to tumble on one's nose, but not to be held back by the hand of a dead past. Not to worship institution and custom, rule and regulation, only because of antiquity; but not to demand change merely for the sake of change. Above all, the toleration<sup>3</sup> which means the rule of law,

<sup>1</sup> It is to be observed that there are hundreds of newspapers; national and local weeklies, and also local dailies; in addition there are monthly and quarterly periodicals, many of them with a political content.

<sup>2</sup> Cf. Bismarck, "Every country is held at some time to account for the windows broken by its Press; the bill is presented, some day or other, in the shape of hostile sentiment in the other country."

<sup>3</sup> But cf. Professor Laski: "For freedom can exist only where there is tolerance; in no other atmosphere has reason the opportunity to exercise its empire. But there cannot be tolerance where there is angry passion, for men in a passion are heedless of argument. There is tolerance only where there is room for, willingness to admit, the prospect of compromise through rational

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law expressly understood, in harmony with the times and effectively enforceable so that man as an individual can also be, with the least friction, a member of a social group.

### CHAPTER VII

#### THE HOUSE OF LORDS

"What is a peer? A useless thing,  
A costly toy to please the king,  
A bauble near the throne.  
A lump of animated clay,  
A gaudy pageant of the day,  
An incubus—a drone."<sup>1</sup>

So ran an old rhyme of 1831. Conditions have changed vastly during the past hundred years, and yet, "The way to get cured of an excessive admiration for the House of Lords, it has been said, is to go and look at it."<sup>2</sup> During the post-war years, not a great deal of public attention was paid to the existence and importance of the Second Chamber, whereas just before the war a first-class constitutional struggle centred in the House of Lords. The history of this body is a very long one, and its origin can be traced back to the ancient Saxon Witenagemot and the Great Council of the Norman and Angevin kings. It appears in almost modern form in the Model Parliament of Edward I. in 1295, "a full and perfect representation of the three Estates—Baronage,

discussion. *There has hardly been such an atmosphere in our time.*" *Liberty in the Modern State*. Introduction to the Pelican ed. (1937). (The italics are mine.)

<sup>1</sup> C. R. Fay, *Life and Labour in the 19th Century* (1920), p. 157.

<sup>2</sup> Low, *op. cit.*, p. 238.

Clergy and Commons.”<sup>1</sup> To this Parliament were summoned “two archbishops, eighteen bishops, about seventy abbots and other heads of religious houses, seven earls and forty-one barons, less than 140 in all.”<sup>2</sup> From then onwards the House of Lords has had an almost continuous existence, broken only during the Commonwealth, when in 1649 it was abolished as “useless and dangerous to the people of England.” The membership has varied greatly, the spiritual peers decreasing in number, even before the Reformation, whilst at one time, in the early part of the fifteenth century, there were no more than 23 temporal peers summoned. But since the Restoration the House has been added to, until in modern days the membership is approximately 700.<sup>3</sup> This is in part due to such factors as the Union of England in 1707 with Scotland and with Ireland in 1801, both of which brought in representative peers, and in part due to creation of peers for various services. About 300 peerages were thus created during the reign of Queen Victoria. It must be remembered that though the House of Lords has this long history and has not altered much in its own constitution,<sup>4</sup> its composition has changed. It is the custom among some to venerate and reverence the House because of its antiquity, and to forget that its membership is in large part composed of comparatively recently “translated” Commoners.

<sup>1</sup> Sir J. A. R. Marriott, *English Political Institutions* (2nd ed., 1920), p. 177.

<sup>2</sup> Sir C. P. Ilbert, *Parliament* (1919), p. 197.

<sup>3</sup> It is interesting to note that just seven years after Edward I. summoned the Model Parliament, Philip IV. of France, called “The Fair,” summoned the Estates General. This political organism was kept alive by intermittent summons from 1302 until 1614, and then does not appear again in French history until August of 1788, when Louis XVI. agreed to its being called for the following May.

<sup>4</sup> But see the later reference to the Parliament Act of 1911.



Moreover, members of the House of Lords are in modern times no longer important as an Estate of the Realm<sup>1</sup> or because of their rank and style, but as members of a legislative chamber. For the law-making body in this country is "The King-in-Parliament," and this includes the House of Lords.

This Second Chamber consists of Lords of Parliament of various classes (not every peer is an Hereditary Lord of Parliament) :

- (a) Hereditary peers of the United Kingdom (to include peers of England created before 1707 and peers of Great Britain created between 1707 and 1801).
- (b) Representative peers of Scotland, 16 in number, elected for each Parliament by the Scottish peerage.
- (c) Representative peers of Ireland, 28 in number, elected by their fellows for life.
- (d) The Lords-of-Appeal-in-Ordinary, 6 in number, who form the nucleus when the House sits as the Final Court of Appeal for civil cases in the United Kingdom.<sup>2</sup> They are paid £6,000 per annum and are given the prefix "Lord," but are not hereditary peers. They form a class of life-peers, and their titles and parliamentary privileges die with them, although they continue

<sup>1</sup> The three estates were a convenient division of mediæval society : the barons, those who fight ; the clergy, those who pray : and the commons, those who work. As to whether Parliament was actually at any time a representation of the Three Estates, see A. F. Pollard, *The Evolution of Parliament*.

<sup>2</sup> United Kingdom here means the United Kingdom of Great Britain and Northern Ireland.

to be Lords of Parliament after retiring from their judicial office.

- (e) The Peers Spiritual, 26 in number. These are the two Archbishops, the Bishops of London, Durham, and Winchester, and 21 Bishops in order of seniority of consecration. These are only Lords of Parliament whilst they hold ecclesiastical (episcopal) office, and on retirement from the latter cease to be members of the House of Lords.<sup>1</sup> The Irish Church, disestablished in 1869, and the Welsh Church, in 1914, have no representation; the Scottish Church is non-episcopal.

These classes of persons—be it noted they are all men—when convened in Parliament form a Legislative Assembly, until 1911 coequal with the House of Commons. And into this august chamber has crept the party element, so that measures are debated and voted upon from a party standpoint, though admittedly the discussion is on a higher level than in the House of Commons. There was a time during the first part of the eighteenth century when the Whig oligarchy dominated the country, and the members of the House of Lords were largely Whigs. But for the past one hundred and fifty years the Conservatives have been in the majority, not only making the chamber almost continuously lopsided politically, but also a source of grave constitutional danger. This was excellently shown in the fight over the famous People's Budget of 1909.

Sir Henry Campbell-Bannerman became Prime Minis-

<sup>1</sup> Cf. Dr. Davidson, for twenty-eight years Archbishop of Canterbury, created Baron Davidson of Lambeth on retirement from his spiritual office, i.e. a temporal and hereditary peerage.

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ter on December 5, 1905, the House was dissolved and an election was held in January of 1906 as a result of which the parties were returned to the Commons in the following strength : Liberal, 377 ; Irish, 83 ; Labour, 53 (24 Lib.-Lab.), Conservative Opposition, 157. So that without any allies the Liberals were definitely in power, for the first time for twenty years, with the exception of the Fourth Gladstone-Rosebery Ministry of 1892-95. It was clear from the start that the Government was not going to have all its own way, for the small Conservative Opposition could rely upon the support of the Lords.<sup>1</sup> A conflict between the two Houses threatened ; in more realistic terms, between the two great parties. This is why the struggle is interesting and instructive to-day, because it occurred in the days before the idea of "economic" democracy was much to the fore, when some form of challenge to the capitalist basis of society was supported by the few, and not the 8 millions of to-day, and when the Labour Representation Committee had only 29 members in the House. A struggle, that is, between the two old and eminently "respectable" parties. The conditions of the quarrel are aptly summed up in the following comment made by the then Prime Minister during the debate on the speech from the throne at the beginning of the 1907 session :

" But ours ceases to be a representative system if the leader of a party who has been overwhelmingly defeated by the popular

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<sup>1</sup> " During the four years of the Parliament of 1906 no Government measure against the third reading of which the Official Opposition voted in the House of Commons passed into law."—A. L. Lowell, *The Government of England*, vol. i. (1920), p. 424.

" The Constitution was to be exploited with no scruples regarding fair play. . . ."—R. C. K. Ensor, *op. cit.*, p. 387.

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voice at the polls is to remain, directly or indirectly, in supreme control of the legislation of the country.”<sup>1</sup>

Mr. Winston Churchill, Under-Secretary for the Colonies, said that :

“In the main the lines of difference between the two parties are social and economic—in the main the lines of difference are increasingly becoming the lines of cleavage between the rich and the poor.”<sup>2</sup>

On June 24, 1907, the Prime Minister introduced his famous resolution, “That in order to give effect to the will of the people, as expressed by their elected representatives, it is necessary that the power of the other House to alter or reject Bills passed by this House should be so restricted by law as to secure that within the limits of a single Parliament the final decision of the Commons shall prevail.”<sup>3</sup>

In the spring of 1908, Sir Henry Campbell-Bannerman, a very sick man, resigned, and shortly afterwards died. Mr. Asquith became Prime Minister, and the reorganization of the Cabinet brought Mr. Lloyd George to the Exchequer. It was not an easy financial period for the new minister. The failure of the Second Hague Peace Conference of 1907, coupled with the German Navy Law of 1908, led to a popular demand<sup>4</sup> for a ship-building programme to include the monster dreadnoughts devised in 1906 by Sir John Fisher. In addition, the cost of the newly passed Old Age Pensions Act was

<sup>1</sup> C. W. Pipkin, *op. cit.*, p. 232.

<sup>2</sup> *Ibid.*, p. 235.

<sup>3</sup> This resolution was carried in the Commons by 432 to 147.

<sup>4</sup> “We want eight and we won’t wait.” (By 1914 eighteen dreadnoughts had been completed.)

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estimated at £8,750,000 for 1909-10. In his first Budget<sup>1</sup> the new Chancellor included amongst other things the taxation of the "unearned increment," and thereby roused a storm of opposition amongst the Conservatives. This measure is usually known as the "People's Budget," but the Chancellor called it a "War Budget."<sup>2</sup> It was debated hotly in the Commons over a period of seventy-two parliamentary days, including several all-night sittings, and finally thrown out by the Lords.<sup>3</sup>

Now as far back as 1671 and 1678 the Commons had ruled by resolution that the Lords should not amend money bills, whether of supply or concerned with rate of tax, and though the Lords could not regard this as other than a "convention" of the Constitution, they had more or less tacitly given way. There is no doubt they had the constitutional right completely to veto a money bill, and even if many tried to make out they had no such right, the fact is that they did, and forced Mr. Asquith to a dissolution and to a General Election, held in January 1910. The Government lost 100 and Labour 13 seats to the Conservatives, so that the Irish Party and the Labour Party together held the balance of power.<sup>4</sup> And each of them was more inclined to support the Liberal Party in its struggle, the former in the hope of Home Rule, and

<sup>1</sup> Mr. Asquith, formerly Chancellor of the Exchequer, introduced as Prime Minister the Budget for 1908-9, for whose preparation he had been responsible.

<sup>2</sup> "It is for raising money to wage implacable warfare against poverty and squalidness."—Mr. Lloyd George.

<sup>3</sup> Technically, the Lords did not veto the Budget. They carried by a majority of 350 to 75 the motion: "That this House is not justified in giving its consent to this Bill until it has been submitted to the judgment of the country."

<sup>4</sup> The results were: Liberals, 275; Unionists, 273; Irish Party, 82; Labour, 40.

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the latter because of the reformist character of the Liberals, and also in the hope of a statutory reversion of the Osborne Judgment of 1909.<sup>1</sup> The Lords, as was expected, passed the Budget without a division, but Mr. Asquith could not let the matter rest there, and early in the session resolutions were framed upon which should be based a Bill to regulate the relations between the two Houses, and on April 14, 1910, the Bill was introduced.<sup>2</sup> But it was clear throughout the session that no agreement would be reached. The death of King Edward VII. meant only a temporary lull. A conference<sup>3</sup> of both sides, four from the Government and four from the Opposition, met no less than twenty-one times but failed to agree, and in November Mr. Asquith announced his intention to dissolve. The results in party distribution of the December 1910 election<sup>4</sup> were almost identical with those of the January one, and the condition of party support therefore the same.

Meanwhile the Lords had been very well aware of the danger to themselves, and since 1907, at first in a desultory sort of way, had been considering their own reform as an alternative to any Government measure. But the Liberals would have none of their schemes, one of the chief proposals of which was the use of the referendum, *i.e.* the direct submission to the electorate

<sup>1</sup> Trades Disputes Act, 1913.

<sup>2</sup> It was during this period in 1910 that Asquith, bombarded with questions as to the fate of the Budget, returned the answer, "Wait and see."

<sup>3</sup> Asquith, Lloyd George, Birrell, Earl of Crewe; Balfour, A. Chamberlain, Landsdowne, Earl of Cawdor.

<sup>4</sup> Liberals, 272; Unionists, 272; Irish Party, 84; Labour, 42. It was this balance of the Liberals and Unionists which gave rise to the curious assertion that the Lords were reformed by the Irish and Labour Parties. It should be remembered that although the reform of the Lords was the burning question of the day, a general policy had to be put forward at the election campaign.



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of a measure which is the cause of deadlock between the two Houses.

In May of 1911 the Parliament Bill was given its third reading in the Commons, and after obstacles put in the way by the Lords, in the shape of alternative bills, had been overcome, the Government's Bill was moved on second reading by Lord Morley. Most of the amendments of the Lords were unacceptable to the Government, and Mr. Asquith now (July 1911) made public the consent of the King, obtained before the General Election, to use if necessary his prerogative<sup>1</sup> for the creation of a sufficient number of peers to enable the Bill to be passed. A large number of Conservative peers refrained from voting, but even then the Bill was read a second time with a majority of only 17: 131—114.<sup>2</sup> Finally the Bill became law on August 18, 1911. The Parliament Act of 1911 did no more than alter the power of the House of Lords, and in the generation which followed, all the bogies trotted out by the Conservatives during the struggle from 1909 to 1911, bogies of every sort of disruptive and subversive "ism" have proved to be just—bogies. But though the Act dealt only with powers, the reference in the Preamble to the composition of the House is noteworthy :

"And whereas it is intended to substitute for the House of Lords as it at present exists a Second Chamber constituted on a popular instead of hereditary basis, but such substitution cannot be immediately brought into operation."

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<sup>1</sup> This device of "swamping" had not been threatened since 1832, when William IV. promised Earl Grey to create if necessary a sufficiency of peers in order that the Reform Bill might be passed. Neither in 1832 nor in 1911 was it necessary to exercise the prerogative.

<sup>2</sup> The "Die-hards" was the name given to those peers who persisted in opposition. They were also called "Ditchers."

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For this puts its finger on the chief weakness of the House as a political institution in a democratic state, that it is mainly an hereditary body removed in theory and practice from any semblance of popular control, and thus stands for privilege. It is not enough, it is felt, that the powers of the House have been curtailed ; that the Lords, for example, may no longer amend or destroy money bills,<sup>1</sup> but may only hold them up for a period of twenty-eight days, and that they have only a "suspensive" veto over ordinary general legislation.

We have seen who compose the Second Chamber, and outside the special classes of representative and spiritual peers and law lords—totalling not more than eighty—we might define a Lord of Parliament as a man who has the right to an individual writ of summons to Parliament (and who, by taking the oath and his seat, thereby ennobles his blood). This right is an hereditary one, passing on down the eldest male line. As in the case of the Commons, it is fair to ask, *who* are these people ? Some are just peers by hereditary descent ; others are "creations." It is the custom at the time of the New Year and the Royal Birthday (and on such special occasions as a coronation) to publish an Honours List, and certain men are rewarded for "political and public services." While there may be no objection to the use of titles—though to some the very idea of rank in a democratic community is obnoxious—it is argued that the conferment of distinction in this way should not be coupled with the right of hereditary legislatorship. For it does happen that, for example, captains of industry and Press-lords become peers. They already have enormous power and authority, and to this is added

<sup>1</sup> As defined in the Act of 1911.

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political privilege in perpetuity. To say that they do not take part in the legislative work of the Lords is to evade the issue.

It is generally agreed that the level of debate in the House of Lords is much higher than in the Lower House, that it is dignified and learned, consonant with the character of those who attend, and who perform their public services without fee. It is true too that the House suffers in its work because of the pressure of business in the Commons, so that at one period it is overburdened and at another it has little to do. But it is also true that many members of the House rarely attend, except when their own privileges appear to be threatened. And again it is not constructive merely to murmur that in effect they voluntarily cease to be Lords of Parliament; the reply can be based on the dog-in-the-manger theory.

For long it has been felt that a Second Chamber should be representative of all the "best" elements in society, and that they should be permitted to debate and vote upon measures on their merits, in fact, a non-party House. Is this possible? There have been since the beginning of the century many schemes put forward; two among them are worthy of some examination. Lord Bryce presided over a Commission in 1917-18 which considered the whole question, and which proposed<sup>1</sup> the abolition of the House of Lords as we know it to-day. In its place would be put a Second Chamber (327 members) composed of two elements:

- (a) 246 members elected by M.P.'s divided into thirteen constituencies in Great Britain and voting by proportional representation. They

<sup>1</sup> Cd. 9,038.

## THE HOUSE OF LORDS

would hold office for twelve years, one-third retiring every four years.

- (b) Out of respect for the tradition of the Lords, 81 members were to be elected by the peerage of their number, again for twelve years with triennial renewals, and this number was to be reduced gradually to 30, the 51 to be added to the 246 in (a) above.

Perhaps more interesting is the Report, dated October 19, 1932, of a Joint Committee of Conservative Peers and Members of the House of Commons, under the chairmanship of Lord Salisbury.<sup>1</sup> The Report deals with the Lords under the headings of "Powers" and "Personnel," the ultimate aim of reform being "to make the House of Lords an efficient part of the legislative machine." The small document is valuable if only for the admission that it will be difficult to persuade Conservatives, especially amongst the Lords, to accept the effective representation of non-Conservative elements. And for the statement:

"For many years the Conservative majority in the House of Lords has been very large, but recently the real disparity of parties in the House has grown even more overwhelming than before. . . . Even if the National Government were to be dissolved and the Conservatives and Liberals altogether ceased to act together, the Conservative strength by itself would be crushing. If this consideration remained alone, the case for reforming the composition of the House would be a strong one."

In making proposals for a differently constituted Second Chamber, the Committee was of the opinion

<sup>1</sup> *House of Lords Reform. Report of a Joint Committee of Peers and Members of the House of Commons (1932).* Interesting, because it comes from a political party which has always been a staunch defender of the Lords.

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that it is essential to maintain to some extent the hereditary principle, and not to leave the monarchy in the "dangerous position" of being the only hereditary element in the Constitution. The suggestion put forward in the Report is for a House consisting of two elements :

- (a) 150 members elected by proportional representation by the hereditary peerage from their own number, the panel from which these would be chosen to contain Scottish and Irish representative peers, elected as at present. These 150 members would sit for twelve years, one third of the number retiring every four years.
- (b) 150 members appointed from outside, by election or alternatively by nomination.
  - (i) *Election*.—The country would be carved into well-defined areas,<sup>1</sup> approximately equal in population, and the actual electorate would be members of the county and county borough councils in each area, voting by proportional representation. As in the case of the hereditary element, the members thus elected would sit for twelve years, one third retiring every fourth year.
  - (ii) *Nomination*.—Described in the Report as traditional, simple, and elastic. When in full working order it would be left to the Prime Minister of the day to fill casual vacancies, but a transitional expedient might be found in

<sup>1</sup> 10 to 15 in England and Wales, 1 or 2 in Scotland. The grouping of the Bryce Report, with necessary modification due to lapse of time, might be adopted.

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allowing the members of the Privy Council, with past or present experience in the House of Commons,<sup>1</sup> to recommend the first 150 to be nominated.

The nominated members might sit until a certain age limit, but the committee recommended tenure for life. There are further proposals in the Report—the retention of the peerage as an Estate of the Realm, with no restriction on the prerogative of the creation of new peers, the removal of sex disqualification in the “outside” element, and the inclusion of peers of the Blood Royal and of the Lords-of-Appeal-in-Ordinary. The spiritual peers would be reduced to five in number, the two archbishops and three bishops elected by their brethren. Any peer not in the new Chamber would be permitted to contest a constituency for election to the Commons. And finally, the income of every member, if it fell short of £600 per annum, would be made up to that amount.

Now it is to be observed that a certain confusion of thought exists with regard to the House of Lords as such and the general position of Second Chambers in a state. Opponents of the former do not necessarily advocate the abolition of any and every form of Second Chamber. They attack the hereditary principle and desire to see it replaced by some form of election. But there are those who hold that if the Lower House were reorganized on an adequately modern basis it should be competent to deal, without interference from an “upper” Chamber, with any phase of national life. They consider that most of the arguments in favour of

<sup>1</sup> The number was 117 (52 Conservative and 65 non-Conservative) at the time the Report was published—1932.

the existence of a Second Chamber are falsely founded. It is true (they say) that elections are on issues which in the main are settled within the first twelve months or so of a parliament's life, and that for the remainder of the time the Commons may misrepresent the people.<sup>1</sup> But if the Lower House rapidly get out of touch with the people, can a Second Chamber be devised which will remain more in touch with the electorate? By hereditary qualification, indirect election, long tenure of office, minimum age or property qualification, Second Chambers the world over are built to give predominance to the Conservative element. Moreover, will a Second Chamber vote in accordance with the opinion—presumably unascertained—of the people? It is more likely that division of opinion will be on normal party lines. To suggest that there is a need for any distinction to be made between the temporary and permanent wishes of the electorate, and that therefore some sort of a Senate is needed as a check on the First Chamber, is to misunderstand the very nature of democracy, and especially so in Great Britain where it is essentially a slow-moving machine.

Now it will be noticed that in the two examples put forward of reformist schemes, the criticism of "conservatism" is not adequately met. In each case the tenure of office is for twelve years,<sup>2</sup> and further, the method of appointment is that of indirect election. It is important that any scheme of Second Chamber reform should not be merely an expedient with an eye to the future for the preservation of power to one particular

<sup>1</sup> It must be remembered that at an election time no politician can forecast the events of the future and the possibly consequent legislation.

<sup>2</sup> Unless nomination for life were accepted for the outside element under the Conservative Committee's Report.

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political party. And it might be argued that the Salisbury proposals, if adopted, would preserve such power for the Conservative Party. Those who are apprehensive for the Lords may comfort themselves with the reflection that those peers who at present carry out the necessary legislative work in their own Chamber would probably—indeed, most certainly—be nominated, appointed, or elected to a reformed House. The principle of the very existence of the House would be changed, but the new personnel might well contain those who already voluntarily perform public service. It is particularly important not to confuse the charm of personality of any given peer with the principle of privilege, as exemplified in an hereditary institution. It is unwise to assert that because Lord —— is a gifted, selfless man, therefore it is right to maintain a system of political privilege for others.

It is likely enough that those who favour a single Chamber will not have their way, at least for some time. There may always be the need for some sort of quiet and skilful revision of perhaps hasty and careless legislation emerging from the Commons. Inadequacy of time and the use of the closure make necessary such revision. At the same time it must be remembered that in the all-important realm of public finance we have virtually a single Chamber, since under the Parliament Act the Lords can only delay money Bills for twenty-eight days, and cannot make amendments. This heartens the opponents of any form of Senate and dismays lovers of the Lords. But under any scheme of reform the Parliament Act would probably be amended, though its main principle—that of delay—would be included, so that the Commons would, after a period, have the last word.



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Many suggestions have been put forward for resolving any deadlock between the two Houses, the favourite devices of joint session, dissolution of the Lower House after an absolute majority<sup>1</sup> vote in the Upper, referendum on the specific measure, or Free Conference.<sup>2</sup>

As the position is at the moment, this principle of delay might constitute a grave danger. The brief outline of the struggle between Lords and Commons has been deliberately recounted in this chapter, since it is possible that such conditions of political strife may occur in the future. Bluntly, if a Socialist Government were in power with an absolute majority, determined to carry out if only a part of their programme, there is no reason to suppose that Conservatives in the Lords would be less hostile than they were between 1906 and 1911. And from their point of view they would in present circumstances be right to oppose strenuously the proposals of the Lower House. The use of their suspensive veto, a time period of approximately thirty months,<sup>3</sup> would not only cause vexatious delay, but might also serve to render ineffective much of the proposed legislation. So that once more the issue would be joined. To take refuge in such statements as the following is to show a certain lack of courage in facing the possibilities of the future : "In

<sup>1</sup> This is suggested in the Salisbury Report, and it is admitted that such a condition of absolute majority in a reformed House is "not impossible, but admittedly unusual, and obviously unlikely except in circumstances of great importance."

<sup>2</sup> The peculiar device of the Bryce Report, almost a Third (joint) Chamber, sitting in private to consider a rejected Bill. After a year's delay the Commons would be able to accept or reject the amended, *i.e.* not their original, Bill.

<sup>3</sup> Under the Parliament Act, a Bill rejected by the Lords must be passed by the Commons in three successive sessions, and two years must elapse between the second reading in the first session and the third reading in the third session, before the Bill can go over the head of the Lords for the Royal Assent.

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theory, indeed, a House of Lords is a menace to a constitution, the principles of which are avowedly democratic : there is a possibility of its thwarting the national will. But, in practice, *that danger is so remote as to be almost incredible.*"<sup>1</sup> (The italics are mine.) This suggests either that the Conservatives will never be out of power or that the Liberal and Labour Parties support the present constitution of the Lords. And this is not true.<sup>2</sup> It is impossible to foresee the future, and to say whether reform will come quietly through an ordinary legislative programme or after a more violent clash. It is impossible even to know if reform will come at all. It is often suggested that the Parliament Act has preserved to the Lords existence for a further century.

"It was sometimes urged that while the House of Commons represented everybody, the House of Lords represented nobody. This was one of the reasons why, on the whole, the two Chambers got on so well together. Everybody and Nobody, as Lord Iddesleigh observed, must find it hard to quarrel."<sup>3</sup> Clearly if the Lords are just nobody, they might as well not exist. Shorn of a good deal of their former authority, the House yet remains potentially powerful.

There are two other points which should be mentioned. The House of Lords is the Final Court of Appeal for all civil cases in the United Kingdom, and by the Appellate Jurisdiction Act of 1876 power was given to the Crown to create life peers to serve as the compulsory nucleus of this court. These are to-day the six Lords-of-Appeal-

<sup>1</sup> H. Morrison and W. S. Abbott, *Parliament : What it is and how it works* (1935), pp. 24-25.

<sup>2</sup> See for example p. 31 of *The Liberal Way*.

<sup>3</sup> Low, *op. cit.*, p. 219. This passage was written in 1904, i.e. before the Parliament Act was passed.

in-Ordinary already mentioned. Proposals for any change of the Lords as a legislative body will have to take these judicial functions into account. But the political attack is not against the Lords as a Court of Appeal.

There was a day when the Lords were thought of—amongst other things—as a “reservoir of ministers,” meaning that young men of title, desirous of doing public service and free from the strife and uncertainty of an election for the Commons, could usefully serve the Government of the day. And since it was necessary that there should be some ministers in the Upper House, this was a useful way of recruitment through apprenticeship. In addition, the Crown, on advice, could confer peerages on members of the Commons who no longer wished to contest a constituency but whose services a government desired to retain.<sup>1</sup> Rejection by the electorate also might lead to promotion to the Upper House, or again the desire to retain the legislative services of a man who had ceased to be a Lord of Parliament.<sup>2</sup>

Finally it is argued that a reformed House, based say on indirect election, with a long tenure of membership, would result in a body of people too timid for some reason to face the multitude—in effect a House of “tired and disappointed politicians.” Though this is not necessarily true, and in any case has not been tried yet, it is accurate to say that the active arena of political conflict is on the floor of the House of Commons, and not in the House of Lords.

<sup>1</sup> *Cf.*, for example, Mr. Snowden and Mr. Sidney Webb.

<sup>2</sup> *e.g.* Archbishop Davidson.

## CHAPTER VIII

### FOREIGN POLICY

"THE High Contracting Parties solemnly declare, in the names of their respective peoples, that they condemn recourse to war for the solution of international controversies, and renounce it as an instrument of national policy in their relations with one another.

"The High Contracting Parties agree that the settlement or solution of all disputes or conflicts, of whatever nature or of whatever origin they may be, which may arise among them, shall never be sought except by pacific means."

So run the first two Articles of the Pact of Paris,<sup>1</sup> signed on August 27, 1928. During the decade which has elapsed since then, nations have been busily preparing for the wars they have renounced. How has this position come about? Large numbers of people in all countries trace the course of post-war international unrest to the various peace treaties<sup>2</sup> which followed the war of 1914-18. But causes are deeper than this.

States, as we have seen, are organized on a basis of security at home and defence from possible aggression

<sup>1</sup> Usually called the "Kellogg Pact," with fifteen original signatories, including U.S.A., which has never been a member of the League of Nations. Over forty other nations adhered to the Pact. Note the reservation made by the British Government with regard to "certain regions of the world, the welfare and integrity of which constitute a special and vital interest for our peace and safety." This was generally understood to refer to Egypt.

<sup>2</sup> Versailles, with Germany, June 28, 1919 (not ratified by U.S.A.); St. Germain, with Austria, September 10, 1919; Trianon, with Hungary, June 4, 1920; Neuilly, with Bulgaria, November 27, 1919; Turkey was forced to sign the Treaty of Sèvres on August 10, 1920, but this was never ratified, and war following, ultimate peace was established by the Treaty of Lausanne in July 1923.

from abroad ; a nationalist conception of statecraft which has always led to the confusion of the terms "peace" and "security." Nations are interdependent in the economic sense, and must, in addition, have some formal diplomatic relations each with the other. And the aim of all foreign policy should be the preservation of the world's peace. In the generation before 1914 it was thought that peace could be ensured through a policy of what was commonly known as a "balance of power,"<sup>1</sup> practically expressed as far as Europe was concerned in the Triple Alliance and Triple Entente.<sup>2</sup> It must not be thought that international agreement was not sought ; the idea of world-unity and the abolition of war and conquest are not just post-war considerations. Attempts to organize Europe for this end after 1815 failed by 1822.<sup>3</sup> The Concert of Europe, meetings of representative ministers of the Great Powers under the Foreign Minister of a particular country, sought peace along these lines ; but this voluntary and unsystematized device, easy to block and ignoring the "small" Powers, failed to maintain peace.<sup>4</sup>

War was recognized as the "normal" method of settling disputes.<sup>5</sup> And though arbitration<sup>6</sup> between disputants played its part and there were Peace Con-

<sup>1</sup> Cf. Lord Morley : *Memorandum on Resignation* (1928), p. 7. "Balance ! What a beautiful euphemism for the picture of two giant groups armed to the teeth, each in mortal terror of the other, both of them passing year after year in an incurable fever of jealousy and suspicion !" July 26, 1914.

<sup>2</sup> Triple Alliance : Germany, Austria-Hungary, and Italy. Triple Entente : Great Britain, France, and Russia.

<sup>3</sup> Cf. Canning (1822) : "Every Power for itself and God for us all !"

<sup>4</sup> Sir Edward Grey appealed in vain to the "Concert" in 1914. There were about thirty meetings of the "Concert" in the century.

<sup>5</sup> Between 1815 and 1914 there were fought forty-four wars of a nationalistic character.

<sup>6</sup> Applicable more to Great Britain, France, and U.S.A. than to Germany, Austria, or Japan.

ferences at the Hague in 1899 and 1907, and all kinds of organizations with international contacts held frequent meetings,<sup>1</sup> the various crises of the first years of the century and the policy of armament-building<sup>2</sup> showed the way to 1914 and the supreme expression of international friction. It is true that armaments were not built with the avowed intention of using them in war. It is also true that the historian will divide the causes of the war into those which were immediate and those which were more remote. But whether economic nationalism or political patriotism be stressed, the result was the same. War came. Each country was "correct" in its attitude<sup>3</sup> and the enthusiasm with which the war was greeted was its own condemnation.

To these older forms of rivalry, based on political and economic nationalism, has been added, during the post-war period, a new cause of friction, based on State "ideologies."<sup>4</sup> The one positive instrument for peace which emerged from Paris, the League of Nations, has been discredited, deserted by Germany and Japan,<sup>5</sup> never joined by U.S.A., and a subject of continuous debate in Britain.

<sup>1</sup> 1900-9; 1,154 such meetings. 1910-19; 1,195 meetings.

<sup>2</sup> Cf. Mr. Lloyd George's protest in 1909: "Is it fair, is it just, is it humane, is it honourable, is it safe to subject such a multitude of our poor fellow countrymen and countrywomen to continued endurance of these miseries until nations have learnt enough wisdom not to squander their resources on these huge machines for the destruction of human life?"

<sup>3</sup> "From her own point of view Serbia was right in pursuing her national aims. Austria was no less right in seeking to retain her possessions. It was the duty of Russia to fulfil her promises to Serbia. Germany was bound to try to prevent the forcible dissolution of her only trustworthy ally. France and England were compelled to honour their treaty obligations." B. W. von Bülow, *Die Krisis*.

<sup>4</sup> Cf. the Anti-Comintern Pact of Germany, Italy, and Japan, 1937.

<sup>5</sup> On December 11, 1937, Italy gave notice to cease membership of the League. Current German opinion seemed to harden in the direction of a resolve "never to return."

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The central feature of post-war diplomacy has been the existence of the League of Nations.<sup>1</sup> Organized at first as a group of victorious powers, it came at last to be regarded as an integral part of world economy. It was regrettable that Germany did not enter until 1926, and it is equally regrettable that Germany should have retired from the League in 1933. The League seeks to ensure world peace, and an international organization for that purpose is not easy to build. The sources of the League are to be found in a number of ideas and documents,<sup>2</sup> but essentially it has been linked closely not only with the treaties, of which the Covenant forms Chapter I. in each case, but also with the immediate post-war atmosphere of suspicion and fear, hostility and passion. In experimental years the rigidity of the Constitution was not to its advantage. But the chief cause of its comparative failure is to be found in the reluctance of all nations to concede to a common authority some measure of their sovereign powers in order that the League shall be an effective organization, competent to insist on the rule of law. Proposals for an international army or police force or for an international general staff have never been more than proposals. The duties of collective responsibility implicit in Article 16, the "sanctions" Article, have never been fully undertaken.<sup>3</sup> But it must be remembered that the League can only work

<sup>1</sup> In the immediate post-war years much diplomatic work was carried on by Conference, outside the League.

<sup>2</sup> Cf., for example, public opinion during the war; the former "Concert of Europe"; Article 14 of "The Fourteen Points," January 8, 1918: "A general association of nations must be formed under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity to great and small states alike"; the draft of Lord Phillimore, and the memorandum of General Smuts.

<sup>3</sup> Cf., for example, the action taken with regard to the Italian conquest of Abyssinia, 1935-36.

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in a peaceful atmosphere, and it is all too often overlooked that Article 8, Section 1, reads: "The Members of the League recognize that the maintenance of peace requires the *reduction*<sup>1</sup> of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations."

The League was not made the authority for implementing the treaties. Alteration of frontiers, loss of territory, plebiscites, the problems of reparations, colonial mandates, and disarmament were discussed outside its framework. As the years went by the League came to be regarded by different nations in different ways. Germany viewed it as an instrument designed in the main to insist upon the letter of the Treaty of Versailles<sup>2</sup>; nations subject to attack, like Abyssinia in 1935 and China in 1937, have been disappointed in what they consider its ineffectiveness and its impotence to help them in their need. U.S.A. went back to the shelter of its Monroe Doctrine and its refusal to be entangled in the quarrels of Europe. In this country the general public have had only a vague and shadowy idea as to the real meaning.<sup>3</sup> Many people regard the League from a

<sup>1</sup> The italics are mine.

<sup>2</sup> But N.B. Article 19: "The Assembly may from time to time advise the reconsideration by members of the League of Nations of treaties which have become inapplicable and the consideration of international conditions whose continuance may endanger the world."

<sup>3</sup> Cf. Professor Arnold J. Toynbee, *The Future of the League of Nations* (1936), p. 7: "I have several times been misled at some critical moment in the League of Nations' history by seeing the posters of evening papers announcing 'All the news about the League,' only to find afterwards that the news referred to concerned the Football League. What 'The League' means to most people in Great Britain is the Football League. At such moments I have asked myself, 'What do I know about the Football League?' And the answer is, 'Very little.' The slowness of my knowledge about the Football League would seem incredible to the vast majority of my fellow-countrymen. By that I measure the extent of what this same majority knows about the League of Nations."



"liberal" point of view, as ordered to establish law and justice, only possible if peace be procured first. Others dislike the "sanctions" Article, and the suggestion that our forces should be used on behalf of some nation in whose welfare we are not immediately concerned; and they also dislike the idea that we can be "ordered" in an international assembly by representatives of small and insignificant nations. Few have desired to surrender any part of sovereignty, and fewer still have demanded a policy of disarmament.<sup>1</sup>

Nations which in their official capacities have accepted the League have also fallen into one of two categories: they have either been "universalists," believing that the League ought to be competent, in conjunction with the Permanent Court, to resolve any and every form of dispute; or they have been "regionalists," accepting the League but preferring the arrangement of pacts or treaties between small groups, believing these to be more efficacious. The Draft Treaty of Mutual Assistance of 1923 was an attempt to combine these different points of view—the advantages of a general guarantee with a system of local alliances. The Geneva Protocol of 1924 was frankly universalist in outlook, a return to the Covenant. It attempted to link up disarmament, security, and arbitration, but the Protocol was never ratified.<sup>2</sup> On the other hand, the Locarno agreements, which were put into treaty form in London on December 1, 1925,<sup>3</sup> are an excellent illustration of a "regional"

<sup>1</sup> The Labour Party accepted rearmament in 1937.

<sup>2</sup> Cf. M. Herriot: "Arbitration is essential, but it is not sufficient. It is a means but not an end. It does not entirely fulfil the intentions of Article 8 of the Covenant which, if I may again remind you, are security and disarmament."

<sup>3</sup> Renounced by Germany on Saturday, March 7, 1936, and from whose obligations Belgium was released in 1937.

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pact. The effect was immense. People spoke of a "Locarno spirit."<sup>1</sup> For Locarno not only settled the problem of the Rhine and brought Germany into the League, it also served to show that armaments were the result of fear and that the security which would lead to their abolition would only come with an effective and universal organization of states.

Through all these years the problem of disarmament had not been lost sight of. But up to 1925 only naval armaments<sup>2</sup> had been dealt with. And Germany was conscious not only of the promise of disarmament implicit in the Covenant of the League, but also of the wording of the Preamble to Part V. of the Treaty of Versailles.

"In order to render possible the initiation of a general limitation of the armaments of all nations, Germany undertakes strictly to observe the military, naval, and air clauses which follow."

More than these, Germany set store by the Allied answer in 1919 to her query as to the exact meaning of this Preamble :

"The Allied and Associated Powers wish to make it clear that their requirements in regard to German armaments were not made solely with object of rendering it impossible to resume her policy of military aggression. They are also the first step towards the reduction and limitation of armaments which they seek to bring about *as one of the most fruitful preventatives of war*,<sup>3</sup> and which it will be one of the first duties of the League of Nations to promote."

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<sup>1</sup> Cf. Dr. Stresemann : "Let each one of us first be a citizen of Europe, linked together by the great conception of civilization which imbues our continent . . . we have the right to speak of a European idea."

<sup>2</sup> At the Washington Conference of 1921, from which emerged the famous 5 : 5 : 3 ratio for "capital" ships. This was for U.S.A., Great Britain, and Japan. The ratio for France and Italy was 1.67 each.

<sup>3</sup> My italics.

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The Preparatory Commission for a Disarmament Conference met for the first time in February of 1926, continued until 1930, and produced finally a convention of disagreements and reservations.<sup>1</sup> In January of 1931 the League Council decided to summon the Disarmament Conference for February 2, 1932, and invited Mr. Arthur Henderson to be chairman. In the meantime there had been other international events of significance: the abortive Coolidge Conference of 1927, the official report of the completion of German disarmament,<sup>2</sup> the Pact of Paris, and the London Naval Conference of 1930.

Before the Disarmament Conference could meet international relations were in a parlous condition. Slump had followed boom in America, and its effects were shortly to be felt in Europe. In the spring of 1931 the economic crisis threatened, a customs union between Germany and Austria was mooted, and Japan was preparing to invade Manchuria. And then the "crisis"<sup>3</sup> developed, and in this atmosphere the Disarmament Conference assembled. The Lausanne Conference, which met in June of 1932, saw in effect a virtual end to reparations. On January 30, 1933, Herr Hitler became Chancellor of the German Reich, and the whole situation was destined to change. Shortly after he came into power, the World Economic Conference was held in London.

<sup>1</sup> N.B.—M. Litvinov's proposal for complete abolition of all armaments, and his subsequent suggestion for disarmament by categories—Great Powers 50 per cent., smaller 33 per cent., and so on. Russia was not at the time a member of the League.

<sup>2</sup> And the German demand for a Disarmament Conference within twelve months.

<sup>3</sup> N.B.—How France in the spring of 1931 wished political concessions as the price of financial aid to Germany, and later, at Lausanne, deprecated complete remission of reparations.

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In all sadness, the Disarmament and Economic<sup>1</sup> Conferences are matters to be forgotten.

During 1932 the Disarmament Conference showed little inclination to recognize the German demand for "equality." Now renunciation of Versailles had always been part of Hitler's programme,<sup>2</sup> and he had striven for nearly fourteen years to gain the power to put this programme into action. Since he became Chancellor, Germany has once more sought for a "place in the sun." Strengthened by the results of the March 1933 election, Hitler proceeded to put into operation his plan for a totalitarian state. Other nations, ourselves amongst them, watched anxiously to see how far he would renounce the obligations of the hated Versailles Treaty. The moves of importance were :

- (a) The withdrawal of Germany on October 14, 1933, from the League of Nations<sup>3</sup> and Disarmament Conference, because of the refusal to concede "equality."
- (b) The announcement on March 16, 1935, of German rearmament.<sup>4</sup>
- (c) The repudiation of Locarno<sup>5</sup> by the occupation of

<sup>1</sup> It was opened on 12th June by His Majesty George V., who used these words : " I appeal to you all to co-operate for the ultimate good of the whole world. . . . It cannot be beyond the power of man so to use the vast resources of the world as to ensure the material progress of civilization. . . . There has come a new consciousness of common interests in the service of mankind."

<sup>2</sup> Originally presented at Munich on February 24, 1920.

<sup>3</sup> Strictly a two years' notice is necessary.

<sup>4</sup> On August 19, 1934, Hitler had become both President and Chancellor, 38.36 million ayes, 4.29 million noes. Note that in June of 1935 there was concluded an Anglo-German Naval Treaty, allowing Germany 35 per cent. of British tonnage.

<sup>5</sup> And of Articles 42 and 43 of the Versailles Treaty.

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the former demilitarized Rhineland zone on March 7, 1936.<sup>1</sup>

(d) The "conquest" of Austria, March 11, 1938.

It must not be forgotten that in addition to Alsace-Lorraine, former German territory and former German nationals are to be found in Denmark<sup>2</sup> and Poland.<sup>3</sup> The Free City of Danzig,<sup>4</sup> and what is claimed to be the purely German town of Memel, also remain outside; as well as Eupen and Malmedy in Belgium. But Germany is busy developing the theory that Germans, wherever they may be, in New World or Old, are really citizens of their Fatherland. This is naturally a source of vexation and fear in such a country as Czechoslovakia<sup>5</sup> where there is a German minority of some 3½ millions. And there is the problem of colonial territory.

Now it was to be expected that Germany would, though not at first easily,<sup>6</sup> find an ally in the other important Fascist country in Europe, Italy. So that the "Rome-Berlin axis" became a reality. Germany both before and since the war has always feared a policy of "encirclement," and many people in this country con-

<sup>1</sup> Coupled with such positive proposals as a twenty-five year Pact of non-aggression on the Rhine; re-entry into the League of Nations, and the discussion of colonial territory.

<sup>2</sup> Schleswig.

<sup>3</sup> The Polish Corridor and Upper Silesia. Germany and Poland concluded a Non-aggression Pact in 1935 to last for ten years.

<sup>4</sup> "For over a dozen years Danzig has been held in suspension, attached economically to Poland, constitutionally to the League, politically to Germany."—*The Times*, December 9, 1937.

The territory of the Saar was returned to Germany after the plebiscite of January 13, 1935.

<sup>5</sup> Especially since Germany's incorporation of Austria. Germany regards Czechoslovakia as having a "Soviet connection."

<sup>6</sup> Cf., for example, the Stresa meeting in May of 1936, to condemn the German policy of rearmament. Italy was represented at this meeting.

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sider that she has had good ground for complaint in that respect. French foreign policy has aimed at alliances or understandings in Central and Eastern Europe. She helped to make and defend Poland, and for long regarded herself as the champion of the Little Entente.<sup>1</sup> In 1935 she arranged the famous Franco-Soviet Pact which Hitler denounced as a prior breach of the Locarno Treaties.

Looking across the narrow seas, what is the British attitude to all this bewilderment? The official government attitude is to be found in a policy of rearmament, which really originated in 1935. The White Paper on Empire Defence<sup>2</sup> of March 1936 stated: "The establishment of peace on a permanent footing is the principal aim of British foreign policy. . . . That is why every British Government is bound to use its utmost endeavours to maintain peace." This paper also stressed the Government's unswerving support of the League and its determination to promote the idea of collective security, its efforts to promote understanding and to reduce and limit armaments. Following the issue of this White Paper there was created a new Cabinet post of Minister for Co-ordination of Defence, and planning schemes for armament manufacturers were drawn up.

The next year, 1937, another White Paper was issued on 16th February.<sup>3</sup> Two quotations only are necessary: "The essential features of the White Paper of March 1936 remain unchanged, although certain measures of acceleration have been approved by Parliament." "Deeply as they deplore the necessity for this vast expenditure on armaments and other defensive measures,

<sup>1</sup> Czechoslovakia, Roumania, and Yugoslavia.

(4,864)

<sup>2</sup> Cmd. 5,107.

<sup>3</sup> Cmd. 5,374.

His Majesty's Government are convinced that it must be undertaken. It has been forced upon them, partly by the circumstances of the time and partly by the long interval during which comparatively small demands have been made upon the national finances for the purposes of the Defence Forces." So there was arranged a five-year plan in armaments to cost no less than £1,500,000,000.<sup>1</sup> In such circumstances it is pertinent to inquire the purpose of this expenditure.

Is it for defence in isolation? Can we, emulating America, free ourselves from European entanglements? Do we desire this, or do we find a greater moral responsibility in recognizing ourselves as competent to assist in the solution of conflict? Ever since the war we have based our foreign policy on friendship with France,<sup>2</sup> though not expressly at the sacrifice of friendship with any other nation. Further, with the rearmament of Germany, we hark back to 1925, when, on 24th March, Mr. (as he then was) Austen Chamberlain said in the House of Commons: "All our greatest wars have been fought to prevent one great military power dominating Europe, and at the same time dominating the coasts of the Channel and the ports of the Low Countries. . . . The issue is one which affects our security." For ten years at least the "frontier" of Britain has been regarded as on the Rhine.

Is this rearmament for alliance? With whom and against whom? Much is talked of the unity of the "democratic" states versus the Fascist ones. Is history

<sup>1</sup> Of which not more than £400 million will be borrowed. According to the White Paper of March 1938, 1939 will be the peak year of armaments expenditure, and the total expenditure over the five years, 1937-42, will in all probability exceed £1,500,000,000—(Cmd. 5,682).

<sup>2</sup> A continuance of the policy of the Entente Cordiale of 1904.

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repeating itself, and will a new Triple Alliance<sup>1</sup> and a new Triple Entente be born, their foundations being in part ideological? No responsible British statesman would accept this view.

Are we spending this money, then, that we may the better perform our duty as members of the League of Nations? Will we accept the military implications of Article 16 and go to the defence of a nation, the victim of unprovoked aggression, even though our own immediate interests are not involved? The answer to that lies in the future, but events of the past imply a doubt.

The main point of British foreign policy is to be found in the desire for peace. How far are armaments effective in securing this? Are we not again in danger of confusing "peace" with "security"?

Every nation cannot be stronger in arms than every other nation. And in any case, domination by arms is only domination through fear. And fear can never bring a lasting peace. There are few in this country who to-day are "peace at any price" people,<sup>2</sup> as there can be few fire-eating "My country, right or wrong" supporters. But there are millions who are exercised in their minds and gravely troubled. Sincere and thoughtful pacifists find no comfort in the maintenance of peace through armed force. They fear it is but a transitory condition, and must give way ultimately to war. And they are not prepared, in any circumstances, to take life, being ready rather to sacrifice their own.

There are those who are irritated at typical British "half-measures," point to the Fascist states, organized

<sup>1</sup> Though with Japan instead of Austria-Hungary.

<sup>2</sup> It is not, however, possible to measure the influence of such an organization as the Peace Pledge Union merely by reference to its membership figures.



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almost on a war basis, and say we should be logical and either completely disarm or have conscription.

Each of the arming nations claims the right to "defend" itself.<sup>1</sup> No nation, with the possible exception of Italy, can admit that its forces are for offence. It is left to the military expert to work out the distinction between offence and defence. To the layman there seems to be as little difference as there will be in a future war between combatant and non-combatant.<sup>2</sup> Each nation is armed against the unknown and problematical "enemy." Conference upon conference, pact upon pact, the personal comings and goings of statesmen visiting foreign ministers, none of these has brought tranquillity as yet. In our own country many people believe that Germany desires to strike south-eastward into the Ukraine,<sup>3</sup> and that she desires to dominate south-eastern Europe. Her care for the German minority in Czechoslovakia and her encouragement of Hungarian resentment at the treaty settlement give rise to apprehension. On the other hand, Russia has been regarded with equal suspicion as fomenting discontent, and for long, though attending various international conferences, was not a member of the League of Nations<sup>4</sup> which she regarded as a further instrument of class oppression..

<sup>1</sup> e.g. Italy claimed she was "defending" herself in Abyssinia in 1935-36.

<sup>2</sup> An ugly light has been thrown on this in Spain, 1936-37, and in China, 1937. Cf. especially the bombing of Barcelona in March 1938.

<sup>3</sup> It must not be forgotten that Germany and U.S.S.R. do not touch at any point. So that war between the two can only be through or above another nation's territory, Poland or Roumania, except for naval action on the Baltic Sea.

<sup>4</sup> Cf., for example, the Soviet Constitution, July 6, 1923. "Since the time of the formation of the Soviet republics, the states of the world have divided into two camps, the camp of Capitalism and the camp of Socialism. There—in the camp of Capitalism—national enmity and inequality, colonial slavery

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It has already been mentioned that many people trace the causes of European unrest to the treaties, and there is no doubt that there are many outstanding grievances. We are wise after the event, as the grim history of reparations<sup>1</sup> and the equally tragic one of disarmament have served to show. Most people in this country are more than sincerely anxious to avoid another period such as the one which began with the question, "What did you do in the Great War?"<sup>2</sup> and ended with the demand to "Make Germany pay." If it be true that, as a result of the treaties, the world was divided into the "haves" and "have-nots," then it is important to note that the wars of what many consider imperialist adventure have been carried out by two nations<sup>3</sup> which were on the victorious side in 1918.

Is there any way out of the impasse? Certain points might be taken into consideration.

- (1) The continued solemnity of a nation's pledged word. In a civilized world treaties ought not to be regarded as "scraps of paper," to be unilaterally discarded. The doctrine put forward by Herr Hitler in March of 1936 on the occasion of the occupation of the Rhineland,

and chauvinism, national oppression and pogroms, imperialist brutalities and wars. Here—in the camp of Socialism—mutual confidence and peace, national freedom and equality, dwelling together in peace and the brotherly collaboration of peoples." H.M.S.O. 1924. Russia became a member of the League Council and Assembly in September 1934.

<sup>1</sup> Cf., for example, the military occupation of the Ruhr from January 11, 1923, until September 27, 1933.

<sup>2</sup> Cf. the late Professor Edwin Cannan: "What should I answer if any one had the impertinence to ask me, 'What did you do in the Great War?' The best answer I can think of is, 'I protested.'"—*An Economist's Protest* (1927), Preface.

<sup>3</sup> Japan in Manchuria in 1932 and in China in 1937. Italy in Abyssinia in 1935-36.

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that he was not bound by his predecessors, is fraught with danger in certain circumstances. Clearly no nation can tie itself to the past, else Britain might still be carrying out a Palmerstonian policy. But where a breach with the recent past may give rise to international complications, such breach should be carried out in consultation with all nations concerned.<sup>1</sup> At the same time, nations should recognize their positive duty under international treaties.<sup>2</sup>

- (2) The surrender, in part, of national sovereignty. Nations should consider the benefit of surrendering some part of their sovereign rights to an international authority.
- (3) A system of international law. This demands the same form of "sanctions" as exists internally. Law must be made effective so that deliberate breaches of the peace shall be punished.
- (4) Disarmament. It would not be possible to insist on the observance of the rule of law if nations were permitted to retain large private armies. The Kellogg Pact was hailed as closing the "gap" in the Covenant, and thereby also abolishing the right of private warfare. Armaments were to be maintained for the purpose of enforcing collective security. It has already

<sup>1</sup> The sanctity of treaties and a conference of all nations concerned to permit any breach were part of Sir Edward Grey's policy before 1914. Cf. the Montreux Conference of 1937 to consider Turkey's request to change the conditions in the Straits, as a contrast to Germany's unilateral breach of Locarno in 1936. Cf. also the policy of "non-intervention" in Spain.

<sup>2</sup> Cf. especially the Protocol of 1925 in which nations pledged themselves to abstain from the use of poison gas in warfare, and note the air raids precautions in this and other countries. Cf. also the resignation from the Government of the Foreign Secretary, Mr. Eden, February 20, 1938. There followed negotiations for an Anglo-Italian Agreement, signed on April 16, 1938.

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been noticed that disarmament is implicit in the Covenant.<sup>1</sup> People seem to be divided into those who believe that peace can only be secured by armaments, and those who assert that if disarmament does not ensure peace, rearmament most certainly will not.

Moreover, it is uncertain how far rearmament for defence can be effective if called into use. New methods of warfare have been evolved since 1918, and in particular the use of the air. No one can say with any certainty what exact form another major war would take.<sup>2</sup> But it would seem that it is not completely possible to "defend" cities and their non-combatant inhabitants. Attack on the cities of the "enemy" nation does not constitute protection of our own nationals; it savours of reprisal rather than of defence.

There is bred with rearmament hostility, suspicion<sup>3</sup> and fear, and it must lead, it would seem, either to war or to the economic crippling of a nation. It is already agreed in Britain that the cost of the rearmament programme is a certain measure of sacrifice in the social services. The economic effects of armament building are not easily measurable. At first, something of a boom, more employment, rising prices, but ultimately, unless war follow, a depression. A recent writer puts it,

<sup>1</sup> See *supra*. The difficulty is to interpret the phrase "consistent with national safety."

<sup>2</sup> Just as no one could say in 1914 what exact form naval warfare would take.

<sup>3</sup> Cf. the White Paper of 1936. *op. cit.*, in which it was pointed out that the rising level of armaments elsewhere may increase the power of the League, but may also result in added power in the hands of a possible aggressor, the implication being that Great Britain would not be an aggressor but some other nation might be. "We cannot excuse our own weakness by pointing to the strength of our neighbours."

" . . . the effect of rearmament is, for the moment, to heighten industrial activity. But it does so only at the cost of distorting the balance of the national economy, driving sound recovery into unsound boom, and gathering labour into industries where its future employment depends on the continuance of world-wide political madness. . . . Since it cannot last for ever, it is merely ensuring that the next slump is a bad one. . . . The sooner rearmament can be arrested by international agreement the less damage it will have done, and the less difficulty there will be in devising an alternative, in expanded international trade or in peaceful public works, to absorb the displaced armament workers."<sup>1</sup>

There are "danger spots," and consequently potential sources of conflict, not only in Europe but in other parts of the world.<sup>2</sup> The League of Nations has the necessary machinery—the Permanent Court,<sup>3</sup> decision of Council or Arbitration for the settlement of all disputes and the careful attention to all grievances—and it would seem that the hope for the future is to swing back, if not to the League itself, to the root idea of international agreement and control.

No one supposes that it is easy to achieve peace by understanding. The events of recent years have served to show once again the dangers of nationalism.

It is probable that of all "isms" to which man is emotionally subject, the most powerful is patriotism.

<sup>1</sup> The Round Table, September 1937. *Booms, Slumps, and Armaments*, pp. 776, 777. Cf. also Mr. Neville Chamberlain in the House of Commons, Monday, February 21, 1938 : "I have never ceased publicly to deplore what seems to me a senseless waste of money for which every one will have to pay dearly—if they are not paying for it already."

<sup>2</sup> Cf. for example the whole Colonial question.

<sup>3</sup> Note the Optional Clause, for the acceptance of compulsory jurisdiction of the Permanent Court in certain legal disputes.

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Because of this, it is essential that in Britain we do not adopt a sanctimonious attitude. It is easy to forget that nationals of other countries do not regard international affairs through British eyes, and, further, may have doubts of our sincerity.<sup>1</sup> Foreign methods of diplomacy may irritate, and people may feel that there is justification for this. But we should consider that perhaps our grievances have not been so great as those of other countries. The War Guilt Clause<sup>2</sup> is an illustration of this. It reads :

“The Allied and Associated Governments affirm and Germany accepts the responsibility of Germany and her Allies for causing all the loss and damage to which the Allied and Associated Governments and their nationals have been subjected as a consequence of the war imposed upon them by the aggression of Germany and her Allies.”

If it be fair to demand what would have been our lot had we lost the war, it is equally fair to ask what our feeling would have been had such responsibility been thrust upon us. This is of particular importance twenty or more years after the Armistice, for in all countries there have grown to manhood and womanhood those who were not born when the Somme was a grim reality. This new generation does not, cannot, feel it should be saddled with responsibility for the mistakes which led to 1914 and beyond.

In all this confusion there yet remains the League of Nations, which, in 1936, appointed a Committee on the Application of the Principles of the Covenant. It is too early to say if from this Committee will emerge a solution such as will commend itself even to European

<sup>1</sup> “Perfidious Albion” is not a pleasant nickname.

<sup>2</sup> Article 231 of the Treaty of Versailles.

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nations. In the words of *The Times*, "Any agreement making for co-operation or the removal of friction between any two Powers is to be welcomed so long as it is not directed against the others."<sup>1</sup>

In this country most people are afraid of a state of "defencelessness," and demand in consequence the maintenance of increased armed forces.<sup>2</sup> This is understandable enough, and as a policy may serve for a short period to preserve an uneasy peace. But since people of other nations also fear "defencelessness" and take the same steps to remedy it, there develops an armaments race. It is impossible to believe that competition in armament building can ensure lasting world peace.

## CHAPTER IX

### LOCAL GOVERNMENT

MUCH reference has been made to the Social Service State, a community so ordered that its government guides, directs, and controls all manner of individual activities, and also itself performs a number of services which it is no longer desirable to leave to private enterprise. Such services can be organized either under the immediate control of the central government,<sup>3</sup> or by agents who, though finally subject to supervision, may

<sup>1</sup> December 13, 1937.

<sup>2</sup> "The paper proceeds upon the assumption, now almost universally accepted, that the steps taken by His Majesty's Government to make good our defences are unavoidable, and that they furnish a steadying influence on the present state of international relations" (Cmd. 5,682, March 1938). The limits of naval construction agreed to in the London Naval Treaty of 1936 were abrogated by U.S.A. in the spring of 1938.

<sup>3</sup> As, for example, the Armed Forces of the Crown.

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have a wide measure of discretion. In this country most of the social services are administered by local authorities.<sup>1</sup> Local government is at least as old as any form of central government, and in its origins was probably more efficient. The modern period of development began with the Reform Act of 1832. The first grant, in 1833, to education,<sup>2</sup> the Poor Law Amendment Act of 1834, and the Municipal Corporations Act of 1835, laid the foundations of our modern authorities. But the nineteenth century habit of creating *ad hoc* bodies,<sup>3</sup> each independent of the other, and of carving the country into unrelated areas for the various purposes of local government, resulted by the '80's in confusion and chaos. "The total number of local authorities who then taxed the English ratepayer was 27,069, and they taxed him by means of eighteen different kinds of rates." <sup>4</sup>

Following the Franchise Act of 1884, there was a period of simplification, and an attempt to get back to the three-fold division of the country during Saxon times, "the golden age of local government."<sup>5</sup> Township, Hundred, and Shire were to be reproduced in Parish, District, and County,<sup>6</sup> each to be controlled by its own democratically elected Council. Even so, certain *ad hoc* bodies remained, the School Boards until 1903 <sup>7</sup> and the Boards

<sup>1</sup> But note that the administration of unemployment benefit is the direct concern of the central government. Cf. the creation of the Unemployment Assistance Board. Similarly most pensions are directly controlled.

<sup>2</sup> It was for £20,000, payable in equal parts to the National Society and the British and Foreign Schools Society, upon condition that a like amount was contributed voluntarily. This was the beginning of grants-in-aid.

<sup>3</sup> *i.e.* for a specific and limited purpose. Cf. Boards of Guardians, Boards of Health, School Boards.

<sup>4</sup> W. Blake Odgers, *English Local Government* (2nd ed.), p. 15.

<sup>5</sup> *Ibid.*, p. 16.

<sup>6</sup> County Councils and County Boroughs were established in 1888; District and Parish Councils in 1894, when plural voting was also abolished.

<sup>7</sup> Education Act, 1902.



of Guardians until 1930.<sup>1</sup> And the Overseer lingered on until 1927.<sup>2</sup> Since the war, and indeed throughout the whole of the twentieth century, there have been certain marked features; the development of "omnibus authorities," competent to perform all local government work, and the tendency to give more power to the larger authorities of County and County Borough, often at the expense of the smaller authorities.<sup>3</sup>

During the nineteenth century and up to the present day there has always been implicit some form of pull between the claims of centralization and those of local need.<sup>4</sup> As may be expected, the situation has been largely resolved by compromise, but the earnest local citizen still revolts against the idea of an "abstract average of humanity,"<sup>5</sup> and demands a recognition of his own peculiar problems, and as a result, and within certain well-prescribed limits, local authorities are free agents. They have, of course, no sovereignty; they were created by Acts of Parliament, and they can therefore be changed in composition, in function, and in power at the will of Parliament.<sup>6</sup> Because of this, they do not stand in a "federal" relation to the central power.

There are nearly 15,000 local authorities in England

<sup>1</sup> Local Government Act, 1929.

<sup>2</sup> Rating and Valuation Act, 1925.

<sup>3</sup> But note the taking over in 1937 of certain trunk roads by the Ministry of Transport. A further exception was the establishment of twenty-two *ad hoc appointed* Area Committees under the Physical Training and Recreation Act, 1937. These Area Committees are responsible to the National Fitness Council appointed by the President of the Board of Education.

<sup>4</sup> It is essential to note the differences in need as between the urban and rural communities.

<sup>5</sup> H. Finer, *English Local Government* (1933), p. 4.

<sup>6</sup> Cf., for example, the Local Government Act, 1929, which abolished the Boards of Guardians; the establishment in 1931 of Traffic Commissioners in eleven areas to supersede some 1,100 former licensing authorities, and the original local application of the "means test" by Public Assistance Committees under the National Economy Act, 1931.

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and Wales,<sup>1</sup> and excepting those rural parishes which are not entitled to elect Parish Councils, and in which government is directed by the Parish Meetings, these authorities take the form of Councils,<sup>2</sup> democratically elected. The franchise is more restricted than in parliamentary elections. It is confined to ratepayers and their wives of full age, with the addition of the "lodger's" qualification.<sup>3</sup>

The percentage of people who vote in local elections is much lower than that of those who vote in elections for the House of Commons. It is impossible to state precisely why. It may be that there are too many elections in some cases; an inhabitant of a rural parish has to vote for three councils, but the citizen of a county borough elects one council only.<sup>4</sup> Possibly too little

<sup>1</sup> Numbers on December 1, 1937 :

County Councils . . . . .	62
Metropolitan Borough Councils (including the Corporation of the City of London) . . . . .	29
Receiver for Metropolitan Police . . . . .	1
Town Councils—	
Councils of County Boroughs . . . . .	83
Councils of other Municipal Boroughs . . . . .	300
Urban District Councils . . . . .	602
Rural District Councils (acting for 479 Districts) . . . . .	478
Council of Isles of Scilly . . . . .	1
Parish Councils (number of parishes entitled to elect a Parish Council) about . . . . .	7,000
Parish Meetings (number of rural parishes not entitled to elect a Parish Council) about . . . . .	4,100
Assessment Committees (outside London) . . . . .	342

There is in addition a large number of local authorities not included in the above list. There are, for example, 119 joint Town Planning Committees, 215 joint Hospital Boards, 22 Vagrancy Committees. There are joint Boards for Water, Gas, Sewerage and Burial purposes; and such miscellaneous authorities as Commissioners of Sewers, Harbour Authorities, etc.

<sup>2</sup> Though parochial electors may exercise the right of voting by ballot, most Parish Councils are still elected by show of hands.

<sup>3</sup> i.e. for the occupation of an unfurnished room.

<sup>4</sup> The rural elector may have to vote as many as five times in three years. The county borough elector votes three times in the same period, since there is an annual election for one-third of the council. In the case of citizens of a non-county borough, there are four elections in three years.

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is known about the work of local authorities, or that work is not sufficiently made the subject of popular appeal. Is there a feeling that local authorities are after all comparatively unimportant? This is understandable in the case of a rural parish, but surely does not apply to large county boroughs.

Some explanation may be found in the attitude of the organized parties. It has already been pointed out that one of the alternatives to the party system is a loose individualism, and the choice of candidate on personal grounds.<sup>1</sup> This applies especially in county areas in which the elector, faced with no clear-cut issue of policy and programme, and with no sort of identification of national and local politics, is left to select as between individuals, each as reputable as the other. "Party," of course, is an important factor in municipal politics, and the position of the elector in towns of any size is a much happier one than in rural areas. This introduction of the party element into local government has given rise to a good deal of controversy. There are those who feel that each area should be governed according to its immediate local needs, without any necessary reference to any other area or to national politics. And there are others who see in local affairs a duplication in miniature of national problems, so that, for example, nationalization and municipal ownership are inherently the same thing.

It is held by many that the entry of organized Labour into municipal politics was responsible for this party feeling, and they shake their heads and lament the days before the turn of the century when local control was based on individual and independent judgment. But

<sup>1</sup> See *supra*, p. 85 *et seq.*

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this is to ignore the vast development in the functions of local authorities and the increasing size of many local councils which turns them into replicas of the House of Commons. In general, the existence of party division would seem to be an advantage, not only from the point of view of the local elector, but also to the more efficient working of the authorities themselves.<sup>1</sup> It is significant that outside London Labour has a majority on only three county councils,<sup>2</sup> and the areas controlled are rather industrial than rural. The success of Labour in the March 1937 elections for the L.C.C. has been credited to the very efficient organization of the London Labour Party. Local contests provide an opportunity for testing the efficient working of the party machine and for obtaining some idea of local opinion, though it would be dangerous to try to forecast the results of any General Election by reference to preceding local elections. It must be realized that, largely because of the very nature of local affairs, both the parties and the general body of the electorate tend to suffer from a certain parochialism of view. This applies more to small rural and urban areas than to large towns.

There are positive qualifications necessary for candidature which to-day are almost uniform.<sup>3</sup> These are bound up with the principle that local councillors should

<sup>1</sup> Cf. Sir W. E. Hart and W. O. Hart, *op. cit.*, p. 118. "And it may be further claimed that a council member may make his service more effective if it is directed by the policy of a party, with the advantage of consultation with the party, than if he acts in committee or Council meetings by the light of his own unaided judgment."

See also H. J. Laski, *A Century of Municipal Progress: The Committee System in Local Government* (1936), p. 85. "Broadly, it may be said that once we entered upon the epoch of the positive state it was impossible to avoid the entrance of party upon the scene."

<sup>2</sup> Durham, Glamorgan, and Monmouth (August 1, 1937).

<sup>3</sup> Local Government Act, 1933.

have some personal<sup>1</sup> interest in the area, and they must therefore own freehold or leasehold property in that area, or be local government electors, or have resided within the area for twelve months prior to the election.<sup>2</sup> Naturally paid office<sup>3</sup> is a disqualification, as are bankruptcy, receipt of poor relief, and conviction for corrupt or illegal practices at the time of the election. In localities in which the party system functions there will be no difficulty in the choice of candidates to be presented to the electors. But in other areas it is not easy to generalize on the methods by which men and women come to offer themselves for civic service. Any one, not otherwise disqualified, who obtains the necessary small number of proposers and seconders may stand as a candidate.

The local electors are charged with the task of either choosing a council as a whole, as in counties, parishes, and the London Metropolitan Boroughs, or of choosing one-third of the councillors each year as in boroughs and districts.<sup>4</sup> There is consequently no uniformity of responsiveness to the electorate's will. Possibly the councils most in touch with the feeling of the people are those of town and district which are subject to annual renewal. But in the former case this must be qualified because of the existence of aldermen, indirectly elected and for the longer period of six years.

The electors then choose or renew their council, but it is essential they should realize the methods by which the council carries out its work. Local administration is

<sup>1</sup> Contrast this with the qualifications necessary for candidature for the Commons. See *supra*, p. 46.

<sup>2</sup> They must, of course, be British subjects, over twenty-one years of age.

<sup>3</sup> This does not include the fees paid in certain circumstances to mayors of boroughs or chairmen of county councils.

<sup>4</sup> But on a two-third's resolution from the district council the county council can order retirement *en bloc* every three years.

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supervised by committees ; even the small parish council may appoint committees, and the larger authorities have not only committees but numbers of smaller sub-committees, depending upon the scope and extent of the functions they are called upon to perform. Ideally, therefore, a councillor should not only be effective as a speaker in the council chamber, but he should also be a good committee member, competent to realize details and to relate them to the general policy of the council. Further, he should be able to appreciate the position of his own local authority as part of a national scheme of administration.

The core of local administration is this committee system, and good, bad, or indifferent functioning will depend upon the composition of the committees chosen by the council. If the members be selected for their knowledge, skill, and experience, if the chairman be efficient, and harmonious relations be established with the permanent officials, there are all the elements making for a forward, progressive policy. Councils, of course, differ in their methods of appointment of committees, and where the party element is strong it may only be necessary to pack the committees with the requisite number of "right-thinking" people. This may detract from what has just been said about the necessity to elect councillors as good committee men.

Much, of course, depends upon the relations between the chairman and the permanent officials attached to the committee. Local government demands a nice balance between the unpaid but responsible amateur and the paid but irresponsible expert. In theory, the permanent officials exist to carry out the policy of the council and to administer its services as determined by the appropriate

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committees. But because of the comparative smallness of local authorities, there is a closer touch, a greater intimacy between committee members and permanent officials than can possibly exist at Whitehall. So it is that a poor chairman and a good permanent official may negative each other's work. In this one realizes the importance of the "personal" relation. Since it is not the custom to change permanent officials it is the more important to select a good chairman. The habit of appointing the same man to the chair of a committee year after year is to be deprecated. It not only does not give other and possibly younger councillors an opportunity of being of service in that capacity, but also tends to establish, if not a tradition, at least a static relationship between chairman and official.<sup>1</sup> No one will deny that the task of a chairman is an arduous one in relation both to his fellow members and to his officials. Not the least of his responsibilities is to encourage his committee to appreciate their relationship with other committees and with the council as a whole. Although most of the work approved by committees is ratified by the council at its periodic meetings, anything in the nature of a forward policy, especially if it involve increased expenditure, must commend itself to the finance committee and may have to be vigorously defended in the council chamber. There is a danger of local affairs being kept in watertight compartments, and though councillors serve on three or more committees they may themselves keep distinct in their own minds the services they are administering. This may also apply to officials when, for

<sup>1</sup> On similar lines permanent officials should be permitted to move, not as between departments of course, but from one authority to another. The benefits of this in the pooling of experience cannot be over-estimated.

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example, a director of education may have little or no contact with the town planning officer, and yet the schemes of one are likely vitally to affect the work of the other. Theoretically, the body of officials is linked up in the person of the clerk, the "guide, philosopher, and friend" of every one interested in their local affairs.

A word must be said here about co-option. Certain committees<sup>1</sup> have power to recommend to the council the co-option of persons of skill, experience, or knowledge. Here is a power which, if wisely used, will undoubtedly add to any committee's effectiveness. But if the right to co-opt is regarded as a method of "rewarding" individuals, irrespective of their merits, it must defeat its purpose. There is also a criticism heard in some quarters that too much work is done by co-opted members who have no direct responsibility to the community. But this can only be if the councillors absent themselves from meetings and so leave the co-opted members in a majority. And the criticism ignores the ultimate overriding power of the council, though it is considered by many that councils do not sufficiently control their committees.

Aldermen too stand in a peculiar relationship. They are intended to provide a "stable" element in the council, and, as has been seen, are indirectly elected by the council for a period of six years.<sup>2</sup> They need not be councillors, but must be qualified to be such. Here again is a possibility of abuse of privilege. It must be re-

<sup>1</sup> e.g. Local Education Authorities, Public Assistance Committees, Library Committees, Maternity and Child Welfare Committees, and Town Planning Committees.

<sup>2</sup> One-half is elected every three years. In London, in both L.C.C. and Metropolitan boroughs, the aldermen number one-sixth of the whole number of councillors. In town councils outside London the number is one-third.



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membered that aldermen are just councillors under another name ; they have no special powers.<sup>1</sup>

When a council is in being and its committees are established, it has to carry out the duties laid down by an enormous number of Acts of Parliament, and if necessary to seek extra powers to enable it to perform further functions. Clearly, efficiency in local affairs is not only based upon the relation of committees and officials, but is bound up with finance. What is sought is true economy,<sup>2</sup> in the sense of order emerging from the wise spending of money. Unfortunately, the cry of "saving the ratepayers' money" is one of popular appeal, and in the main ignores the benefits conferred through local government.<sup>3</sup>

Local authorities obtain their income from fines, fees and tolls, from the ownership of corporate property, from profits arising through trading enterprise, from loans, from grants-in-aid and from rates. This last item is the one which touches most nearly the pockets of the ratepayer. Rating itself can be made a matter of much controversy, the levying of a tax upon the occupation of immovable property, so that the real incidence of rating may not be equitable as between individual householders. But further than that the unequal ability to bear a financial burden is brought out as between different areas. Whilst rating remains a matter of *local* concern, there will always exist such an inequality. The policy of the government of 1924-29 embodied

<sup>1</sup> Except as returning officers in their wards at town council elections.

<sup>2</sup> To be contrasted with economy in the sense of niggardliness.

<sup>3</sup> Cf. Lord Snell: *A Century of Municipal Progress: The Town Council* (1936), p. 68. "In reality, the amount that he pays in rates brings a greater return in health, security, and general well-being than he obtains from most of his other expenditure."

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in the Local Government Act of 1929,<sup>1</sup> aimed at a better sharing of local costs by changing the conditions upon which grants-in-aid would in future be paid from the central exchequer. By the Act, agricultural land and buildings were completely derated, and industrial and freight transport hereditaments were three-quarters derated.<sup>2</sup> The former percentage grants were abolished with some exceptions, the grants for education and the police forces remaining on the old basis. Authorities were in future to receive a share of a General Exchequer Contribution as a block grant-in-aid of their general expenditure. This share was to be based on a formula calculated according to the needs of the area. The principle adopted was that of "weighting"<sup>3</sup> the population for certain positive factors—the number of children under five years of age per 1,000 of the population; low rateable value (under £10 per head); the percentage of unemployment<sup>4</sup>; and in rural areas, sparsity of population, calculated according to mileage of main roads. Since the grant is payable on the basis of the weighted population, from the point of view of the money to be received from the Exchequer, it pays an area to have, for example, a large number of small children and much unemployment. The scheme came into force on April 1, 1930, but it will not be fully in operation until 1947. The experience of seven years has but served to show the difference in financial ability as between local areas. The following figures, taken

<sup>1</sup> This Act also abolished boards of guardians and established Public Assistance Committees for county and county borough councils, and guardians' sub-committees in rural areas.

<sup>2</sup> In order to contribute to the revival of agriculture and industry.

<sup>3</sup> *i.e.* adding to.

<sup>4</sup> A "super-weight" for unemployment was introduced in 1937.—Local Government (Financial Provisions) Act, 1937.

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from a White Paper<sup>1</sup> presented by the Minister of Health in 1937, bear out this.

	Estimated Population. <sup>2</sup>	Total Weighted Population. <sup>3</sup>	Ratio of Weighted to Unweighted Population.
England and Wales .	40,645,000	103,363,190	2.54
Monmouth . . .	324,400	1,783,759	5.50
Cumberland . . .	201,000	1,094,115	5.44
Pembroke . . .	85,100	446,330	5.24
Glamorgan . . .	743,800	3,705,100	4.98
Durham . . .	908,300	4,193,541	4.62
Sussex, West . . .	244,700	417,227	1.71
Sussex, East . . .	291,100	436,616	1.50
Middlesex . . .	1,866,800	2,633,535	1.41
Surrey . . .	1,088,400	1,407,606	1.29

The figures for county boroughs were even more illuminating. Bournemouth with a population of 118,200 had a total weight of 272 (for unemployment), Sunderland's population was increased from 185,000 to 1,034,865. The ratios of weighted to unweighted population for the ten best-off and ten worst-off towns were :

Bournemouth . . .	1.00	Merthyr Tydfil . . .	5.81
Southend-on-Sea . . .	1.09	Sunderland . . .	5.59
Eastbourne . . .	1.10	South Shields . . .	4.97
Southport . . .	1.14	Barnsley . . .	4.62
Hastings . . .	1.16	Gateshead . . .	4.55
Blackpool . . .	1.25	Bootle . . .	4.51
Brighton . . .	1.25	West Hartlepool . . .	4.45
Oxford . . .	1.31	Middlesbrough . . .	4.12
Bath . . .	1.32	Tynemouth . . .	4.11
Croydon . . .	1.37	Wigan . . .	4.00

<sup>1</sup> Report on Result of Investigation under Section 110 (Local Government Act, 1929), 1937.

<sup>2</sup> Calculated on statistics for 1935.

<sup>3</sup> On the assumption of a revised formula, i.e. to include the super-weight for excessive unemployment.

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By the policy of the Local Government Act of 1929 there was therefore established the principle that poorer areas are more largely helped from central funds than richer areas. This is eminently just, having regard to the smaller financial capacity of the former. But many people think that this policy does not go far enough. It has, of course, stressed the greater importance of the large authority of county and county borough.

Within certain limits local authorities may spend their money as they wish ; there is, of course, no legal limit<sup>1</sup> to the amount they may demand of their citizens by way of rates. But in certain services the central government has power<sup>2</sup> to demand a minimum standard of efficiency and the compliance of expenditure with "approved conditions." The moneys<sup>3</sup> at the disposal of local authorities have increased greatly during the past generation.

	1913-14	1933-34
Receipts from all sources . . . . .	£169,325,118	£533,302,923
From Rates . . . . .	71,276,159	148,554,121
„ Government Grants . . . . .	22,617,246	121,617,414
„ Trading Services ; and Tolls, Fees, and Rents . . . . .	53,182,725	146,132,875
„ Loans . . . . .	70,285,394	149,450,574

<sup>1</sup> Except under such an Act as the Addison Housing Act of 1919, in which local loss was confined to the proceeds of a 1d. rate.

<sup>2</sup> There is, of course, audit by the District Auditor of the Ministry of Health. Note the continued existence of mayors' and elective auditors in boroughs. The conditions of payment of the General Exchequer contribution, as well as those for the older percentage grants, have given the Ministry a certain measure of control over policy. There is the insistence on a reasonable standard of "progress and efficiency" in public health and road development.

<sup>3</sup> From *Statistical Abstract* (1937). The total cost of public social services in Great Britain for 1935 was £503,783,000, but this includes the cost of services such as Unemployment and National Health Insurance, all kinds of pensions, as well as moneys spent by local authorities on education, hospitals, housing, public assistance, etc. Cmd. 5,609 (1937).

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It is the natural desire of public-spirited people to make their own areas as attractive as possible, and it is a curious reflexion on the human mind that otherwise uncompromising individualists can be as communally proud of their city and urgent for its needs as the most enthusiastic Socialists. But the individualism of the nineteenth and twentieth centuries has presented local authorities with serious problems. Many of the social services of to-day began either as charitable concerns or trading undertakings for the making of profit. Few would dream of restoring education to private enterprise, of giving up control of the roads to turnpike trusts, or of condemning the economically distressed to the vagaries of individual charity. But there is still a confusion of thought in existence about what should or should not be within the competence of social control. It is argued, for example, that insufficient is done in the way of provision of hospitals and clinics and a general scheme of preventive medicine. But perhaps the best illustration of the clash between the individualist and the communal point of view is to be found in the problem of housing. Little effective housing legislation was passed before the war, and the Acts<sup>1</sup> placed on the Statute Book since 1918 have served to show the differences in opinion on this matter. It was only in 1930<sup>2</sup> that real power was given to deal with slum-clearance, and not until 1932<sup>3</sup> was "amenity" made a subject of legislation, whilst overcrowding was not really considered until

<sup>1</sup> Cf. Addison Act, 1919; Chamberlain Act, 1923; and Wheatley Act, 1924. Under the 1923 Act more than 400,000 houses were erected, about 80 per cent. by private enterprise; under the 1924 Act, nearly half a million houses were built, 97 per cent. by local authorities.

<sup>2</sup> The Housing Act, 1930, commonly known as the Greenwood Act.

<sup>3</sup> Town and Country Planning Act, 1932.

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1936.<sup>1</sup> Town and country planning schemes with their principle of zoning,<sup>2</sup> their scheduling for the preservation of all manner of things of importance, from groups of trees to ancient monuments, will ensue orderly construction in the future. But the nation has still the legacy of the past, and years must elapse before every town and village will be wisely planned. The problem concerns the inhabitant of urban and rural districts alike, for if there be an undoubted necessity to beautify the town there is an equal necessity to preserve the beauty of the countryside.<sup>3</sup> The problem is to consider whether the provision of houses be a competent social service to be carried out by local authorities, or an economic function concerned with the sale of a commodity.<sup>4</sup> No one supposes that education must be made to "pay," that is, in the terms of a revenue measured in money. But houses are thought of as in a different category and presumably should be made to "pay."<sup>5</sup>

Over a whole range of services local authorities have

<sup>1</sup> The Housing (Financial Provisions) Bill, 1938, proposes a uniform subsidy for slum clearance and for the abatement of overcrowding. It also proposes to change the basis of grants under the Greenwood Act—i.e. per person displaced as well as per house built. In future grants will be paid on the basis of houses built only.

<sup>2</sup> i.e. appropriating areas for special purposes and forbidding any other form of building.

<sup>3</sup> Cf. the Restriction of Ribbon Development Act, 1935. In this context the work of the voluntary bodies deserves mention. Such are the Council for the Preservation of Rural England, the Society for the Protection of Ancient Buildings, and local bodies like Rural Community Councils.

<sup>4</sup> Cf. from a table compiled by Sir Waldron Smithers, M.P., published in *The Times*, October 18, 1937 :

(For year ending 30th September.)

	1931	1932	1933	1934	1935	1936
Total houses built	194,944	201,976	218,313	313,669	318,644	339,528
Private enterprise	131,656	133,486	169,100	260,327	275,299	274,654
Local Authorities	63,288	68,490	49,213	53,342	43,345	64,874

<sup>5</sup> But cf. conditions for "differential renting" under the Greenwood Act.

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administrative control with possibilities of extension in the future—municipal banking, music, the drama. But authorities themselves are subject to control. We have already suggested that certain problems may arise, as in the control of committees by the council and in the interrelation between committees and officials. In addition, local councils must be obedient to the law, and are therefore amenable to the jurisdiction of the courts to keep them within the law. But it would seem that control by the courts, though essential in the interests of the individual, is of restrictive<sup>1</sup> nature, and therefore not sufficient in the positive state. And so local authorities are controlled by "Whitehall," which means that certain government departments, notably the Ministries of Health<sup>2</sup> and Transport, the Board of Education and the Home Office (for sanctioning most by-laws), keep in close touch with councils. A great deal of the work of local authorities is subject to the approval of these departments, which guide, direct, and control, through power to withhold such approval, to make rules and regulations with the force of law, to audit accounts and to withhold grants.

It is this authority in the hands of government departments, and especially the setting up of administrative tribunals with "quasi-judicial powers,"<sup>3</sup> which has given rise to so much criticism of bureaucracy. But

<sup>1</sup> See W. Ivor Jennings, *A Century of Municipal Progress, Central Control* (1936), p. 428. "The general conclusions to be drawn from the past century are by no means favourable to judicial control. To some extent the defects are inherent in judicial control. It is a control exercised at the instance of individuals. Its purpose is to obstruct rather than to help. It is expensive and dilatory. It is capable of application only when rules of law are broken, not when they are applied legally but ineffectively."

<sup>2</sup> The Minister of Health has been referred to as "the autocratic dictator of the poor."

<sup>3</sup> *Ibid.*, p. 443.

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two points at least must be made : the first that all this power is derived from Statute, that is, the will of Parliament ; the second that, whilst having regard to local peculiarities, a certain uniformity of administration is desirable. But many people consider that the control of Parliament<sup>1</sup> over Government departments is singularly ineffective. The control in any case is political and not legal, and this is as it should be since it is the task of Parliament<sup>2</sup> to agree upon principles and policy and to leave administration to the appropriate organs of government.

By a roundabout route we are brought back to the elector. If he complain that as a local citizen he has small power, he should remember that in the final analysis Whitehall itself is under the control of the Commons. He should consider, too, that the ministers concerned are charged with the task of insisting upon a minimum performance,<sup>3</sup> and that local authorities have much freedom to develop a progressive policy in their own areas beyond these minimum requirements.

## CHAPTER X

### CONCLUSION

THE first function of the parliamentary institutions which have been described in this book is to establish and main-

<sup>1</sup> As for example in the granting or withholding of Provisional Orders for the extension of the powers of local authorities.

<sup>2</sup> On Friday, March 4, 1938, the Local Authorities (Enabling) Bill was introduced as a Private Member's Bill. It proposed to give power to local authorities to develop savings banks, and to provide their own supplies of such commodities as milk, cream, coal, bread, and bricks. The Bill was defeated on Second Reading, 160 to 109.

<sup>3</sup> Cf. Jennings, *op. cit.*, pp. 444, 445.



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tain that order without which no complex society such as ours can adequately exist. But, as has already been pointed out, it is becoming increasingly recognized that the ultimate aim of all governments should be the welfare of the subject. Although it is not easy to decide exactly what are man's wants, there are certain fundamental conditions which must be fulfilled if society is to become healthy. In simple terms, all people should have a sufficiency of food, clothing, and house-room, work to do and leisure to spend, and developed ability for the spending of that leisure along personal lines.

Nations have sought different means internally to express their social desires, and it may be that freedom and tolerance are ill-conceived if the price paid for them be starvation. But man is essentially an individual, and it should not be the aim of democratic society through its institutions and its educational system to attempt to mould according to a fixed pattern. If "totalitarianism" as a creed means the reduction of individual freedom so that the citizen becomes a mere unit with "rights" derived only with permission from above, then it must run counter to any true conception of democracy. Economic sufficiency may be won at too hard a price.

Unfortunately the British people are apt to be all too unheeding. "Most generations, it might be said, walk in a path which they neither make nor discover, but accept; the main thing is that they should march. The blinkers worn by Englishmen enable them to trot all the more steadily along the beaten road, without being disturbed by curiosity as to their destination."<sup>1</sup> It should be the obligation of every thinking citizen to consider if he can discern purpose in society. It is this

<sup>1</sup> R. H. Tawney, *The Acquisitive Society* (1921), p. 1.

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inadequacy of thought which constitutes so grave a danger, a danger which is not lessened by the effects of propaganda.<sup>1</sup> Convictions may be tenaciously held upon a basis of insufficient knowledge. And political convictions expressed in practice may easily result in institutions<sup>2</sup> and social purpose very different from what had been originally promised.

Equally important in the post-war years are the methods by which governments seek to realize their aims. The recourse to brutality to suppress opponents has shocked observers in our country. To suggest that what has happened abroad in the way of violent change cannot occur here is to be short-sighted. To argue that the "characteristics" of the English people will ensure the preservation of a free democracy is the result of insufficient analysis.

It is true that English public life exhibits certain features which tend to produce what has been called the "statutory-cum-voluntary" state. A host of societies<sup>3</sup> of a voluntary nature and unconcerned with political activity exists to serve the interests of the people. Freedom of religious opinion and worship is enjoyed, but unfortunately the failure of the Churches to discover for themselves a considered relation<sup>4</sup> between the purpose

<sup>1</sup> For an excellent short article on this subject see Dr. Conzé, "The Psychology of Propaganda," in *The Highway*, for January 1938.

<sup>2</sup> This is well illustrated in the new Soviet Constitution, ideal on paper. At the elections on December 12, 1937, 90,319,346 Soviet citizens voted out of a total of 93,639,478, i.e. 96.5 per cent. of the electorate. There were 1,143 candidates for 1,143 seats.

<sup>3</sup> It is not possible to give a list of these, but such bodies as Y.M.C.A. and Y.W.C.A., British Legion, W.E.A., League of Nations Union, Rural Community Councils, may be cited as illustrations. In recent years there have come into existence "Book Clubs" with an educational-cum-propagandist purpose.

<sup>4</sup> This is especially brought out in the attitude of religious bodies to war.

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of religion and that of the secular state tends further to confuse ordinary people.

The real uncertainty is the attitude which will be adopted by those possessed of authority and of privilege if their position be seriously challenged. Will they abide by the rules of the parliamentary "game" if forced into a minority by the electorate of this country, or, if "isms" clash, will government by violence be the result? The technique for the seizure of power must be familiar to those who have followed events abroad. Now it does not necessarily follow that anything of this nature will occur. But the story of the Irish struggle<sup>1</sup> in the years immediately prior to 1914 throws an ugly light upon what one section of the community is prepared to do in the event of a British Government proposing to carry measures with which it disagrees. The nature of the struggle may be different and the battleground itself shifted, but the objective is the same, the retention of power and privilege.

It may be trite but it is also necessary to repeat that democratic institutions can only work if all members of the community are prepared not only to let them but to make them. There are many who fear that some time in the future clash must come. Is it then to be "revolution" because we do not take thought for the morrow, and because we cannot or will not seek to discover purpose in our individual and social living? Are we clinging to a despised and outworn creed and so deceiving ourselves?

It is not fair to be called upon to condemn bloodshed

<sup>1</sup> For excellent accounts of the Unionist preparations to resist His Majesty's Government and the attitude of certain army officers, see Ensor, *op. cit.*, pp. 472-481; and Spender, *op. cit.*, chapters xxxv. and xxxvi., pp. 412-435.

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in, say, Germany, and condone it in Russia. "For revolution, like war, is infinite tragedy, since in its very nature it means pain and suffering and the tragic confusion of means with ends. The innocent not less than the guilty are its victims. It is the enemy of Reason and Freedom—the twin goddesses whose triumph gives what of beauty there is in the ultimate texture of men's lives."<sup>1</sup>

There is so much competence for good in our society that to face the future courageously means not only a betterment of the conditions of the people, but an example of what the freedom and tolerance associated with democracy can bring about. So that our achievements as a nation might be measured in terms of social accomplishment instead of in terms of "power."

In conclusion let it be said that, given the concerted will, democracy as a creed of equality, freedom, and toleration, and expressed through institutions in harmony with these conceptions, is competent to provide all the essentials of decent living. As yet there is no satisfying alternative. But purpose and function, already discerned by the few, must be made clear to the many. For if our democracy, limited as we have seen it to be, ultimately crack, through perhaps internal dissension or external aggression, a fresh start must be made. And in the words of Professor Laski, "There is no tragedy more stark in the history of mankind than the compulsion to begin anew a search of which already we can define the goal."<sup>2</sup>

<sup>1</sup> H. J. Laski, *Democracy in Crisis* (1933), p. 266.

<sup>2</sup> *Ibid.*, p. 267.

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